

## **BILL ANALYSIS**

Senate Research Center  
81R7465 NC-F

S.B. 1398  
By: West, Royce  
Intergovernmental Relations  
3/23/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Some municipalities in Texas are requiring prospective renters of dwelling units to obtain an additional license or permit issued by the municipality prior to renting or leasing housing units. This practice places an additional financial burden on prospective renters, especially those with low incomes, and places an additional regulatory burden on landlords.

As proposed, S.B. 1398 prohibits municipalities from requiring individuals to obtain a specific license or permit issued by the municipality in order to rent a single-family residence, apartment, or other dwelling unit.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter Z, Chapter 214, Local Government Code, by adding Section 214.907, as follows:

Sec. 214.907. PROHIBITION OF MUNICIPAL REQUIREMENTS OF LICENSE OR PERMIT TO OCCUPY RESIDENCE. Prohibits a municipality from requiring an individual to acquire a license or permit issued by the municipality as a condition for occupying or leasing a single-family residence, apartment, or other dwelling.

SECTION 2. Effective date: upon passage or September 1, 2009.