

## CHAPTER 938

H.B. No. 1565

## AN ACT

relating to a cash payment for rental of residential property.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.010 to read as follows:

*Sec. 92.010. CASH RENTAL PAYMENTS. (a) A landlord shall accept a tenant's timely cash rental payment unless a written lease between the landlord and tenant requires the tenant to make rental payments by check, money order, or other traceable or negotiable instrument.*

*(b) A landlord who receives a cash rental payment shall:*

*(1) provide the tenant with a written receipt; and*

*(2) enter the payment date and amount in a record book maintained by the landlord.*

*(c) A tenant or a governmental entity or civic association acting on the tenant's behalf may file suit against a landlord to enjoin a violation of this section. A party who prevails in a suit brought under this subsection may recover court costs and reasonable attorney's fees from the other party. In addition to court costs and reasonable attorney's fees, a tenant who prevails under this subsection may recover from the landlord the greater of one month's rent or \$500 for each violation of this section.*

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 7, 1993, by a non-record vote; passed by the Senate on May 29, 1993: Yeas 31, Nays 0.

Approved June 19, 1993.

Effective Sept. 1, 1993.