

SUBJECT: Floor-mounted bolting security device in rental dwellings

COMMITTEE: Business and Industry — favorable, with amendment

VOTE: 7 ayes — Brady, Corte, Crabb, Eiland, Giddings, Rhodes, Solomons
0 nays
2 absent — Brimer, Janek

SENATE VOTE: On final passage, May 2 — 31-0

WITNESSES: (*On House companion bill, HB 2534*):

For — Tom McCartney, Winner International; Ken J. Starrs, Texas Fraternal Order of Police

Against — None

On — Bone

BACKGROUND: In 1993 the 73rd Legislature enacted HB 1368 by Naishtat, requiring landlords to provide certain security devices on rental dwellings.

DIGEST: SB 1426 would amend the Property Code to require landlords to install, at a tenant's request made at any time, a floor-mounted bolting device purchased at the tenant's expense but installed at the landlord's expense.

A "floor-mounted bolting device" would refer to a steel sleeve in the floor on the inside of an in-swinging door two inches in from the center of the door with a kick plate installed with screws and a storage bracket on the inside of the door. When the steel bar is inserted into its hole in the floor it would be required to be capable of preventing the door from moving inward and of being adjusted to allow for a two-inch viewing space.

SB 1426 would also amend the Property Code to remove from security requirements a temporary residential tenancy created by contract for the

sale of real estate in which the buyer occupies the property prior to closing or the seller occupies the property after closing.

This act would take effect September 1, 1995.

**SUPPORTERS
SAY:**

SB 1426 would place into statute a tenant option to request the installation of a floor-mounted security device, known also as a "door club," shown to be especially effective against attempts to kick-in a door.

Although existing law does not prohibit a landlord from installing a door club, a landlord is also not required to install one at a tenant's request. Landlords are currently required to install, at tenant's request and expense, a keyed dead bolt on an exterior door and a sliding door pin lock or security bar.

SB 1426 would not be endorsing a specific brand of floor-mounted bolting device because other companies would not necessarily be prohibited from manufacturing and selling devices that meet the specifications in law. SB 1426 would not necessarily be generating business for Winner International, the current manufacturer of door clubs, because "Winner International" or "door club" would not be mentioned in the statute and landlords would only be required to install the device at tenant's request.

**OPPONENTS
SAY:**

SB 1426 is not needed and would serve to promote a security device that is made by only one company. It would also expand the original purpose of HB 1368, enacted last session, which was to prevent entry by persons using unauthorized keys.

The "floor-mounted bolting device" as defined in this bill would refer to a "door club," a security device only manufactured by Winner International. SB 1426 would give Winner International an opportunity to promote its device by saying "authorized by the state of Texas" or something to that effect. It would also require landlords to install a particular brand of a security device. All other devices mentioned in statute have been carefully defined so as to not authorize one particular product or manufacturer over another.

This bill is not needed because nothing in existing law would prevent a landlord from installing a door club at the tenant's request. Most landlords are now responsive to reasonable tenant requests for security.

**OTHER
OPPONENTS
SAY:**

The definition of a floor-mounted bolting device should be more broadly written to prevent any potential problem or perception of state endorsement of one brand of security device.

NOTES:

The committee amendment would exempt certain temporary residential tenancies from compliance with required security measures.