

## **BILL ANALYSIS**

Senate Research Center  
81R13993 AJA-D

H.B. 1382  
By: Davis, Yvonne (Harris)  
Business & Commerce  
4/17/2009  
Engrossed

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

Current law prohibits a landlord from assessing a charge, other than a charge for rent or physical damage to the leased premises, to a tenant unless the amount of the charge or the method by which the charge is to be computed is stated in the lease or in an exhibit, attachment, or amendment to the lease. It is unclear whether a governmental landlord such as an airport authority, which is required by federal grant assurances to charge rates that cover all of its operating costs, may impose on its tenants a contractual duty to pay a proportionate share of whatever those operating costs may be from year to year.

H.B. 1382 amends current law relating to assessment of certain charges by a commercial landlord that is a governmental entity.

### **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 Section 93.012, Property Code, by adding Subsection (c), to provide that this section does not affect the contractual right of a landlord that is a governmental entity to assess charges under a lease to fully compensate the governmental entity for the governmental entity's operating costs.

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