



FLOOR AMENDMENT NO. _____

BY: HAYES
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1 Amend S.B. No. 38 (house committee report) on page 4 by
2 striking lines 6 through 19 and substituting the following:
3 (a) If the occupant is a tenant under a written lease or oral
4 rental agreement, the landlord must give a tenant who defaults or
5 holds over beyond the end of the rental term or renewal period at
6 least three days' written notice to vacate the premises before the
7 landlord files a forcible detainer suit, unless the parties have
8 contracted for a shorter or longer notice period in a written lease
9 or agreement. In a forcible detainer suit against a tenant whose
10 right of possession is terminated based solely on nonpayment of
11 rent and who was not late or delinquent in paying rent to the
12 landlord before the month in which the notice is given, written
13 notice under this section shall be given in the form of a notice to
14 pay rent or vacate. In a forcible detainer suit against a tenant
15 whose right of possession is terminated based on nonpayment of rent
16 and who was late or delinquent in paying rent to the landlord before
17 the month in which the notice is given, written notice under this
18 section may be given in the form of either a notice to pay rent or
19 vacate or a notice to vacate. A landlord who files a forcible
20 detainer suit on grounds that the tenant is holding over beyond the
21 end of the rental term or renewal period must also comply with the
22 tenancy termination requirements of Section 91.001.