

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662,
2 Page 2, Section 21.405, Line 20, by inserting after all of said section and line the following:

3
4 "67.449. 1. As used in this section, the following terms mean:

5 (1) "Abuse", as defined in section 455.010;

6 (2) "Emergency", a sudden or unforeseen situation in which property or human life is in
7 jeopardy that requires immediate action and the prompt summoning of aid;

8 (3) "Penalize" includes, but is not limited to, the actual or threatened revocation, suspension,
9 or nonrenewal of a rental license; the actual or threatened assessment of fines; or the actual or
10 threatened eviction or causing the actual or threatened eviction from leased premises;

11 (4) "Premises", any parcel of property, whether residential or commercial; a building or
12 structure, if any, situated on the property; and any portion of the public way that abuts the property if
13 the public way is used in conjunction with the abutting property for the commission of illegal
14 activity;

15 (5) "Public nuisance", a continuing act or physical condition that is made, permitted,
16 allowed, or continued by any person or legal entity, a person's or legal entity's agent or servant, or
17 any person or legal entity who aids therein and that is detrimental to the safety, welfare, or
18 convenience of the inhabitants of a political subdivision or any act or condition so designated by
19 statute or ordinance;

20 (6) "Victim of a crime", a person who suffers personal physical injury or death as a direct
21 result of a crime.

22 2. Requests to law enforcement or emergency services for assistance shall not be considered
23 a public nuisance.

24 3. (1) No political subdivision shall penalize a resident, tenant, or landlord for a request to
25 law enforcement or emergency services by or on behalf of a victim of abuse, a victim of a crime, or
26 an individual in an emergency, if the contact was made with the reasonable belief that intervention
27 or emergency assistance was necessary to prevent the perpetration or escalation of, or to respond to,
28 such abuse, crime, or emergency or if the intervention or emergency assistance was actually needed
29 in response to such abuse, crime, or emergency.

30 (2) If a political subdivision enforces or attempts to enforce an ordinance against a resident,
31 tenant, or landlord in violation of subdivision (1) of this subsection, the resident, tenant, or landlord

Action Taken _____ Date _____

1 may bring a civil action for a violation of this section and seek an order from a court of competent
2 jurisdiction for any of the following remedies:

3 (a) An order requiring the political subdivision to cease and desist the unlawful practice;

4 (b) Payment of compensatory damages, provided that a resident, tenant, or landlord shall
5 make a reasonable effort to mitigate any damages;

6 (c) Payment of reasonable attorney's fees;

7 (d) Payment of court costs; or

8 (e) Other equitable relief including, but not limited to, reinstating a rental license or rental
9 permit, as the court may deem appropriate."; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.