



TEXAS MUNICIPAL LEAGUE

Empowering Texas cities to serve their citizens

President **David Rutledge**, Mayor, Bridge City
Executive Director **Bennett Sandlin**

March 29, 2023

The Honorable DeWayne Burns
Chairman, Texas House Land and Resource Management Committee
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

Dear Chairman Burns:

I am writing on behalf of the Texas Municipal League in opposition to **H.B. 2367** by **Representative Lozano**. We understand the author's intent to provide guidance for property owners who wish to rent out certain amenities on their properties. But, as currently drafted, the bill offers little guidance on key aspects of regulating such rentals, including insurance requirements, local property management, noise, trash, and parking. And it expressly prohibits Texas cities from filling these gaps.

H.B. 2367 would allow a property owner to rent out a part of their property, including single-family dwellings, for a purpose other than providing sleeping accommodations for a period of less than 15 hours. The bill also: (1) establishes local registration requirements, including emergency contact information and proof of notice to immediately adjacent neighbors; (2) provides for civil penalties for operating without a permit; and (3) prohibits property owners from serving food as part of the rental, unless otherwise allowed by the law.

But more important is what H.B. 2367 does not do. It does not require that a property owner maintain insurance to cover someone who gets hurt while using their property. It does not make property owners responsible for noise, trash, or parking issues caused by the rental of their property. It also does not require a property owner to have a local contact who can respond promptly to complaints.

While renting specific property amenities is a novel idea, the concept mirrors short-term rentals. Through trial and error, state and local governments across the country have recognized that insurance, owner responsibility for nuisances, and local property management are critical components of a successful balance of a property owner's right to use their property and their obligations to their customers and neighbors. If the legislature is unwilling to establish such baseline requirements, it is incumbent for local governments to be able to do so.

For these reasons, we respectfully oppose H.B. 2367 and urge the committee to take no action on the bill at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Monty Wynn". The signature is fluid and cursive, with a prominent loop at the end.

Monty Wynn
Director, Grassroots and Legislative Services
Texas Municipal League