



BILL AND AMENDMENT SUMMARY

HF 493 Summoning Emergency Assistance

Status of Bill: Floor
Committee: Judiciary Committee (20-0)
Lead Democrats: Rep. Berry
Floor Manager: Rep. Nunn
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Summary

Creates a new code chapter the “ Right to Assistance Act.” The purpose of the chapter is to assure any owner, lessee, or lessor of property is not penalized for seeking emergency assistance or law enforcement assistance. This protection supersedes any local ordinance, rule, or regulation that is inconsistent or conflicts with this protection.

A city, county, or other governmental entity may not authorize a penalty against a resident, owner, tenant, or landlord for a contact to law enforcement or emergency assistance if the person making the contact had a reasonable belief the assistance was necessary or if the assistance was actually needed. Prohibited penalties include revocation, suspension, or nonrenewal of any license or permit; penalties, fines or fees; or eviction. Prohibits a governmental entity from enacting any other ordinance, rule, or regulation related to emergency assistance. A landlord may not prohibit or limit a tenant’s rights to call law enforcement or emergency assistance under the bill. Any waiver of this type included in a rental agreement is considered contrary to public policy and is void and unenforceable. If this new code chapter is violated, a person may receive an order requiring the governmental entity or landlord to cease and desist the practice, injunctive relief, equitable relief or a civil penalty, actual damages, and attorney fees and court costs.

Amendment Summary

H-8170 by Senate

The amendment makes the following changes from the original bill:

- Changes the code section for the right to summon emergency assistance to be included with other landlord/tenant laws
- Changes the requirement on landlords from not allowing a penalty for summoning emergency assistance to not allowing a landlord to prohibit or limit the right to summon emergency assistance or impose a penalty for exercising a right to summon emergency assistance.
- Specifically allows a landlord to terminate or evict a rental agreement for reasons other than the resident or tenant’s summoning of emergency assistance.