

AN ACT

relating to disclosure by a home seller of previous use of the home for manufacture of methamphetamine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.008(b), Property Code, is amended to read as follows:

(b) The notice must be executed and must, at a minimum, read substantially similar to the following:

SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT _____

(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller ___ is ___ is not occupying the Property.

If unoccupied, how long since Seller has occupied the Property?

1. The Property has the items checked below:

Write Yes (Y), No (N), or Unknown (U).

- List of items to be checked: Range, Dishwasher, Washer/Dryer, Hookups, Security System, TV Antenna, Ceiling Fan(s), Central A/C, Oven, Trash Compactor, Window Screens, Fire Detection Equipment, Cable TV, Wiring, Attic Fan(s), Central Heating, Microwave, Disposal, Rain Gutters, Intercom System, Satellite Dish, Exhaust Fan(s), Wall/Window.

- 1 Air Conditioning
- 2 Public Sewer System
- 3 Plumbing System Septic System Fences
- 4 Patio/Decking Outdoor Grill Spa
- 5 Pool Sauna Hot Tub
- 6 Pool Equipment Pool Heater Automatic Lawn Sprinkler System
- 7 Fireplace(s) & Chimney (Woodburning)
- 8 Gas Lines (Nat./LP)
- 9 Fireplace(s) & Chimney (Mock)
- 10 Gas Fixtures
- 11 Garage: Attached Not Attached Carport
- 12 Garage Door Opener(s): Electronic Control(s)
- 13 Water Heater: Gas Electric
- 14 Water Supply: City Well MUD Co-op
- 15 Roof Type: _____ Age: _____ (approx)

21 Are you (Seller) aware of any of the above items that are not in
 22 working condition, that have known defects, or that are in need of
 23 repair? Yes No Unknown.

24 If yes, then describe. (Attach additional sheets if necessary):
 25 _____
 26 _____

27 2. Are you (Seller) aware of any known defect/malfunctions in any
 28 of the following?

29 Write Yes (Y) if you are aware, write No (N) if you are not aware.

- 30 Interior Walls Ceilings Floors
- 31 Exterior Walls Doors Windows
- 32 Roof Foundation/
33 Slab(s) Basement
- 34 Walls/Fences Driveways Sidewalks
- 35 Plumbing/Sewers/
36 Septics Electrical Systems Lighting Fixtures

37 Other Structural Components (Describe): _____
 38 _____
 39 _____

40 If the answer to any of the above is yes, explain. (Attach

1 additional sheets if necessary): _____
2 _____
3 _____

4 3. Are you (Seller) aware of any of the following conditions?

5 Write Yes (Y) if you are aware, write No (N) if you are not aware.

- | | | |
|----|---|--|
| 6 | <input type="checkbox"/> Active Termites | <input type="checkbox"/> Previous Structural |
| 7 | (includes | or Roof Repair |
| 8 | wood-destroying insects) | |
| 9 | <input type="checkbox"/> Termite or Wood Rot | <input type="checkbox"/> Hazardous or Toxic Waste |
| 10 | Needing Repair | |
| 11 | <input type="checkbox"/> Previous Termite Damage | <input type="checkbox"/> Asbestos Components |
| 12 | <input type="checkbox"/> Previous Termite | <input type="checkbox"/> Urea formaldehyde |
| 13 | Treatment | <input type="checkbox"/> Insulation |
| 14 | <input type="checkbox"/> Previous Flooding | <input type="checkbox"/> Radon Gas |
| 15 | <input type="checkbox"/> Improper Drainage | <input type="checkbox"/> Lead Based Paint |
| 16 | <input type="checkbox"/> Water Penetration | <input type="checkbox"/> Aluminum Wiring |
| 17 | <input type="checkbox"/> Located in 100-Year | <input type="checkbox"/> Previous Fires |
| 18 | Floodplain | |
| 19 | <input type="checkbox"/> Present Flood Insurance | <input type="checkbox"/> Unplatted Easements |
| 20 | Coverage | |
| 21 | <input type="checkbox"/> Landfill, Settling, Soil | <input type="checkbox"/> Subsurface |
| 22 | Movement, Fault Lines | Structure or Pits |
| 23 | | <input type="checkbox"/> <u>Previous Use of Premises for</u> |
| 24 | | <u>Manufacture of Methamphetamine</u> |

25 If the answer to any of the above is yes, explain. (Attach
26 additional sheets if necessary): _____

27 _____
28 _____

29 4. Are you (Seller) aware of any item, equipment, or system in or
30 on the property that is in need of repair? Yes (if you are
31 aware) No (if you are not aware). If yes, explain (attach
32 additional sheets as necessary). _____

33 5. Are you (Seller) aware of any of the following?

34 Write Yes (Y) if you aware, write No (N) if you are not aware.

- 35 Room additions, structural modifications, or other
36 alterations or repairs made without necessary permits or not
37 in compliance with building codes in effect at that time.

- 1 — Homeowners' Association or maintenance fees or assessments.
- 2 — Any "common area" (facilities such as pools, tennis courts,
- 3 walkways, or other areas) co-owned in undivided interest with
- 4 others.
- 5 — Any notices of violations of deed restrictions of
- 6 governmental ordinances affecting the condition or use of the
- 7 Property.
- 8 — Any lawsuits directly or indirectly affecting the Property.
- 9 — Any condition on the Property which materially affects the
- 10 physical health or safety of an individual.

11 If the answer to any of the above is yes, explain. (Attach
12 additional sheets if necessary): _____

13 _____
14 _____

15 _____
16 Date Signature of Seller

17 The undersigned purchaser hereby acknowledges receipt of the
18 foregoing notice.

19 _____
20 Date Signature of Purchaser

21 SECTION 2. This Act applies only to a notice executed on or
22 after the effective date of this Act. A notice executed before the
23 effective date of this Act is governed by the law in effect
24 immediately before that date, and that law is continued in effect
25 for that purpose.

26 SECTION 3. This Act takes effect January 1, 2008.

David Newburn

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 271 was passed by the House on March 28, 2007, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 271 was passed by the Senate on May 18, 2007, by the following vote: Yeas 30, Nays 0.

Daisy Grew
Secretary of the Senate

APPROVED: 15 JUN 07
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4 PM O'CLOCK

ROGER HUMPHREYS
JUN 15 2007
Secretary of State