MEMORANDUM

To: Chairman Tarwater and Members of the House Committee on Commerce, Labor and Economic Development
From: Office of the Revisor of Statutes
Date: 2-24-2026
Subject: HB 2768

HB 2768 requires landlords to accept multiple partial payments of rent from tenants if the total amount of rent is paid in full and on time. When a landlord requires a demonstration of income for qualification for housing, the bill requires landlords to consider all income from a broad range of income sources.

Section 1. Multiple rent payments; remedies.

- Tenants may make multiple payments to the landlord or designee if total rent is paid on time and in full.

- If the landlord or designee refuses such payment, that payment amount is forfeited and the tenant's obligation for that amount is discharged.

- Section does not limit a landlord's other rights under the act.

- Noncompliance creates liability to the tenant for:
  * Actual damages;
  * punitive damages; and
  * in a successful enforcement action, costs and reasonable attorney fees.

- Requirements and remedies are in addition to other legal requirements and remedies.

Section 2. Income consideration in housing qualification; definition; penalty.

- If a demonstration of income is required by a landlord for qualification for housing, the landlord must consider all income.

- "Income" means:

  Any lawful source of money paid directly or indirectly to a renter or buyer.

  "Income" includes, but not limited to:

  * Wages or compensation from any lawful profession or occupation;
  * government or private income, assistance, grants, or loan programs;
  * compensation under 38 C.F.R. § 3.3, § 3.4, or § 3.5 (federal veterans' pensions, disability compensation, and survivors' dependency and indemnity compensation);
  * pension, annuity, alimony, or child support; and
  * proceeds from sale or pledge of property or interests in property.

  "Income" does not include federal housing assistance issued under Section 8, 42 U.S.C. § 1437f. (Low-income housing assistance per Section 8 of Housing Act of 1937).

- If a tenant's application is rejected due to failure to consider all income, the landlord must repay double the tenant's or prospective tenant's application fees and costs.

Act Supplemental to Landlord and Tenant Act; Effective Date.

- Sections are supplemental to the residential landlord and tenant act.

- If enacted, the act takes effect January 1, 2027.