

By: Wilson

H.B. No. 4412

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of recreational vehicle parks.

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

SECTION 1. The heading to Section 232.007, Local Government Code, is amended to read as follows:

Sec. 232.007. MANUFACTURED HOME RENTAL COMMUNITIES AND RECREATIONAL VEHICLE PARKS.

SECTION 2. Sections 232.007(a), (b), (c), (e), (f), (g), and (h), Local Government Code, are amended to read as follows:

(a) In this section:

(1) "Business day" means a day other than a Saturday, Sunday, or holiday recognized by this state.

(2) "Manufactured home rental community" means a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

(3) "Recreational vehicle" has the meaning assigned by Section 522.004, Transportation Code.

(4) "Recreational vehicle park" means a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease for a term of more than 30 consecutive days to park recreational vehicles for use and occupancy as residences.

1 (5) "Rental community" means a manufactured home
2 rental community or a recreational vehicle park.

3 ~~[(2) "Business day" means a day other than a Saturday,~~
4 ~~Sunday, or holiday recognized by this state.]~~

5 (b) A [~~manufactured home~~] rental community is not a
6 subdivision, and Sections 232.001-232.006 do not apply to the
7 community.

8 (c) After a public hearing and after notice is published in
9 a newspaper of general circulation in the county, the commissioners
10 court of a county, by order adopted and entered in the minutes of
11 the commissioners court, may establish minimum infrastructure
12 standards for [~~manufactured home~~] rental communities located in the
13 county outside the limits of a municipality. The minimum standards
14 may include only:

15 (1) reasonable specifications to provide adequate
16 drainage in accordance with standard engineering practices,
17 including specifying necessary drainage culverts and identifying
18 areas included in the 100-year flood plain;

19 (2) reasonable specifications for providing an
20 adequate public or community water supply, including specifying the
21 location of supply lines, in accordance with Subchapter C, Chapter
22 341, Health and Safety Code;

23 (3) reasonable requirements for providing access to
24 sanitary sewer lines, including specifying the location of sanitary
25 sewer lines, or providing adequate on-site sewage facilities in
26 accordance with Chapter 366, Health and Safety Code;

27 (4) a requirement for the preparation of a survey

1 identifying the proposed [~~manufactured home~~] rental community
2 boundaries and any significant features of the community, including
3 the proposed location of [~~manufactured home~~] rental community
4 spaces, utility easements, and dedications of rights-of-way; and

5 (5) reasonable specifications for streets or roads in
6 the [~~manufactured~~] rental [~~home~~] community to provide ingress and
7 egress access for fire and emergency vehicles.

8 (e) If the commissioners court adopts minimum
9 infrastructure standards for [~~manufactured home~~] rental
10 communities, the owner of land located outside the limits of a
11 municipality who intends to use the land for a [~~manufactured home~~]
12 rental community must have an infrastructure development plan
13 prepared that complies with the minimum infrastructure standards
14 adopted by the commissioners court under Subsection (c).

15 (f) Not later than the 60th day after the date the owner of a
16 proposed [~~manufactured home~~] rental community submits an
17 infrastructure development plan for approval, the county engineer
18 or another person designated by the commissioners court shall
19 approve or reject the plan in writing. If the plan is rejected, the
20 written rejection must specify the reasons for the rejection and
21 the actions required for approval of the plan. The failure to
22 reject a plan within the period prescribed by this subsection
23 constitutes approval of the plan.

24 (g) Construction of a proposed [~~manufactured home~~] rental
25 community may not begin before the date the county engineer or
26 another person designated by the commissioners court approves the
27 infrastructure development plan. The commissioners court may

1 require inspection of the infrastructure during or on completion of
2 its construction. If a final inspection is required, the final
3 inspection must be completed not later than the second business day
4 after the date the commissioners court or the person designated by
5 the commissioners court receives a written confirmation from the
6 owner that the construction of the infrastructure is complete. If
7 the inspector determines that the infrastructure complies with the
8 infrastructure development plan, the commissioners court shall
9 issue a certificate of compliance not later than the fifth business
10 day after the date the final inspection is completed. If a final
11 inspection is not required, the commissioners court shall issue a
12 certificate of compliance not later than the fifth business day
13 after the date the commissioners court or the person designated by
14 the commissioners court receives written certification from the
15 owner that construction of the infrastructure has been completed in
16 compliance with the infrastructure development plan.

17 (h) A utility may not provide utility services, including
18 water, sewer, gas, and electric services, to a [~~manufactured home~~]
19 rental community subject to an infrastructure development plan or
20 to a manufactured home or recreational vehicle in the community
21 unless the owner provides the utility with a copy of the certificate
22 of compliance issued under Subsection (g). This subsection applies
23 only to:

- 24 (1) a municipality that provides utility services;
25 (2) a municipally owned or municipally operated
26 utility that provides utility services;
27 (3) a public utility that provides utility services;

1 (4) a nonprofit water supply or sewer service
2 corporation organized and operating under Chapter 67, Water Code,
3 that provides utility services;

4 (5) a county that provides utility services; and

5 (6) a special district or authority created by state
6 law that provides utility services.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2021.