

By: Wentworth

S.B. No. 1110

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of multiple-unit rental home communities.

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

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

Sec. 232.007. MANUFACTURED HOME RENTAL COMMUNITIES AND MULTIPLE-UNIT RENTAL HOME COMMUNITIES. (a) In this section:

(1) "Rental community" means a manufactured home rental community or a multiple-unit rental home community.

(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) "Multiple-unit rental home community" means a plot or tract of land that is separated into two or more spaces or lots on which are located homes, cabins, lodges, or similar structures for use and occupancy as residences that are rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option.

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

(b) A [~~manufactured home~~] rental community is not a

subdivision, and Sections 232.001-232.006 do not apply to the community.

(c) After a public hearing and after notice is published in a newspaper of general circulation in the county, the commissioners court of a county, by order adopted and entered in the minutes of the commissioners court, may establish minimum infrastructure standards for manufactured home rental communities or multiple-unit rental home communities located in the county outside the limits of a municipality. The minimum standards may include only:

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

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

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

(4) a requirement for the preparation of a survey identifying the proposed [~~manufactured home~~] rental community boundaries and any significant features of the community, including the proposed location of [~~manufactured home~~] rental community spaces, structures, utility easements, and dedications of

1 rights-of-way; and

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

5 (d) The commissioners court may not adopt minimum  
6 infrastructure standards that are more stringent than requirements  
7 adopted by the commissioners court for subdivisions. The  
8 commissioners court may only adopt minimum infrastructure  
9 standards for ingress and egress access by fire and emergency  
10 vehicles that are reasonably necessary.

11 (e) If the commissioners court adopts minimum  
12 infrastructure standards for manufactured home rental communities  
13 or multiple-unit rental home communities, the owner of land located  
14 outside the limits of a municipality who intends to use the land for  
15 a manufactured home rental community or multiple-unit rental home  
16 community must have an infrastructure development plan prepared  
17 that complies with the minimum infrastructure standards adopted by  
18 the commissioners court under Subsection (c).

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

1           (g) Construction of a proposed [~~manufactured home~~] rental  
2 community may not begin before the date the county engineer or  
3 another person designated by the commissioners court approves the  
4 infrastructure development plan. The commissioners court may  
5 require inspection of the infrastructure during or on completion of  
6 its construction. If a final inspection is required, the final  
7 inspection must be completed not later than the second business day  
8 after the date the commissioners court or the person designated by  
9 the commissioners court receives a written confirmation from the  
10 owner that the construction of the infrastructure is complete. If  
11 the inspector determines that the infrastructure complies with the  
12 infrastructure development plan, the commissioners court shall  
13 issue a certificate of compliance not later than the fifth business  
14 day after the date the final inspection is completed. If a final  
15 inspection is not required, the commissioners court shall issue a  
16 certificate of compliance not later than the fifth business day  
17 after the date the commissioners court or the person designated by  
18 the commissioners court receives written certification from the  
19 owner that construction of the infrastructure has been completed in  
20 compliance with the infrastructure development plan.

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

1           (1) a municipality that provides utility services;

2           (2) a municipally owned or municipally operated  
3 utility that provides utility services;

4           (3) a public utility that provides utility services;

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

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

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

11         SECTION 2. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2011.