

## **BILL ANALYSIS**

Senate Research Center

S.B. 1268  
By: Lucio  
Business & Commerce  
7/25/2013  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Recreational vehicle parks play a vital role in the tourism industry, attracting many visitors to the state. Over the years, the legislature has enacted multiple policies to help these businesses operate more efficiently.

S.B. 1268 makes small changes to various statutes to update and clarify different aspects of the recreational vehicle and recreational vehicle park industry. The bill amends current law to simplify the definition of a recreational vehicle park. Additionally, the bill provides safeguards for park owners regarding customer electricity usage, and ensures that unrelated fees are not part of the billing process for water utility service.

S.B. 1268 amends current law relating to recreational vehicles and recreational vehicle parks.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 30.05(b)(10), Penal Code, to redefine "recreational vehicle park."

SECTION 2. Amends Section 94.001(3), Property Code, to redefine "manufactured home."

SECTION 3. Amends Section 94.002, Property Code, as follows:

Sec. 94.002. APPLICABILITY. (a) Provides that this chapter applies only to the relationship between a landlord who leases property in a manufactured home community and a tenant leasing property in the manufactured home community for the purpose of situating a manufactured home, rather than a manufactured home or a recreational vehicle, on the property.

(b) Provides that this chapter does not apply to the relationship between:

- (1) a landlord who owns a manufactured home and a tenant who leases the manufactured home from the landlord;
- (2) a landlord who leases property in a manufactured home community and a tenant leasing property in the manufactured home community for the placement of personal property to be used for human habitation, excluding a manufactured home, rather than excluding a manufactured home or a recreational vehicle; or
- (3) a landlord and an employee or an agent of the landlord.

SECTION 4. Amends Section 184.011(2), Utilities Code, to redefine "dwelling unit."

SECTION 5. Amends Subchapter C, Chapter 184, Utilities Code, by adding Section 184.036, as follows:

Sec. 184.036. UTILITY CUTOFF AT RECREATIONAL VEHICLE PARK. Authorizes a person who operates a recreational vehicle park, as defined by Section 13.087, Water Code, notwithstanding any other law, to withhold electric, water, or wastewater utility services from a person occupying a recreational vehicle at the park if the occupant is delinquent in paying for utility services provided by the operator until the occupant pays the delinquent amount.

SECTION 6. Amends Section 13.087(a)(3), Water Code, to redefine "recreational vehicle park."

SECTION 7. Amends Section 49.2122(a-1), Water Code, as follows:

(a-1) Provides that, notwithstanding Subsection (a) (relating to the authority of certain special purpose districts to establish different charges, fees, rentals, or deposits among certain classes of customers), a district that provides nonsubmetered master metered utility service, as defined by Section 13.087(a)(1) (defining "nonsubmetered master metered utility service"), to a recreational vehicle park, as defined by Section 13.087(a)(3):

(1) is required to determine the rates for that service on the same basis the district uses to determine the rates for other commercial businesses that serve transient customers and receive nonsubmetered master metered utility services from the district; and

(2) is prohibited from charging a person who owns or operates a recreational vehicle park that receives nonsubmetered master metered utility service from the district an administrative fee for the services provided.

SECTION 8. Repealers: Sections 94.001(8) (defining "park model unit"), and (10) (defining "recreational vehicle"), Property Code.

SECTION 9. Effective date: September 1, 2013.