

By: Lucio

S.B. No. 1268

A BILL TO BE ENTITLED

AN ACT

relating to recreational vehicles and recreational vehicle parks.

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

SECTION 1. Subdivision (10), Subsection (b), Section 30.05, Penal Code, is amended to read as follows:

(10) "Recreational vehicle park" has the meaning assigned by Section 13.087, Water [~~means a tract of land that has rental spaces for two or more recreational vehicles, as defined by Section 522.004, Transportation~~] Code.

SECTION 2. Subdivision (3), Section 94.001, Property Code, is amended to read as follows:

(3) "Manufactured home" has the meaning assigned by Section 1201.003, Occupations Code [~~, and for purposes of this chapter, a reference to a manufactured home includes a recreational vehicle~~].

SECTION 3. Section 94.002, Property Code, is amended to read as follows:

Sec. 94.002. APPLICABILITY. (a) 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 [~~or a recreational vehicle~~] on the property.

(b) This chapter does not apply to the relationship between:

(1) a landlord who owns a manufactured home and a

1 tenant who leases the manufactured home from the landlord;

2 (2) a landlord who leases property in a manufactured  
3 home community and a tenant leasing property in the manufactured  
4 home community for the placement of personal property to be used for  
5 human habitation, excluding a manufactured home [~~or a recreational~~  
6 ~~vehicle~~]; or

7 (3) a landlord and an employee or an agent of the  
8 landlord.

9 SECTION 4. Subdivision (2), Section 184.011, Utilities  
10 Code, is amended to read as follows:

11 (2) "Dwelling unit":

12 (A) means:

13 (i) [~~(A)~~] one or more rooms that are  
14 suitable for occupancy as a residence and that contain kitchen and  
15 bathroom facilities; or

16 (ii) [~~(B)~~] a mobile home in a mobile home  
17 park; and

18 (B) does not include a recreational vehicle, as  
19 defined by Section 522.004(b), Transportation Code.

20 SECTION 5. Subchapter C, Chapter 184, Utilities Code, is  
21 amended by adding Section 184.036 to read as follows:

22 Sec. 184.036. UTILITY CUTOFF AT RECREATIONAL VEHICLE PARK.  
23 Notwithstanding any other law, a person who operates a recreational  
24 vehicle park, as defined by Section 13.087, Water Code, may  
25 withhold electric, water, or wastewater utility services from a  
26 person occupying a recreational vehicle at the park if the occupant  
27 is delinquent in paying for utility services provided by the

1 operator until the occupant pays the delinquent amount.

2 SECTION 6. Subdivision (3), Subsection (a), Section 13.087,  
3 Water Code, is amended to read as follows:

4 (3) "Recreational vehicle park" means a commercial  
5 property:

6 (A) that is designed primarily [~~on which service~~  
7 ~~connections are made~~] for recreational vehicle transient guest use;  
8 and

9 (B) for which fees for site service connections  
10 for recreational vehicles, as defined by Section 522.004(b),  
11 Transportation Code, are paid daily, weekly, or monthly [~~at~~  
12 ~~intervals of one day or longer~~].

13 SECTION 7. Subsection (a-1), Section 49.2122, Water Code,  
14 is amended to read as follows:

15 (a-1) Notwithstanding Subsection (a), a district that  
16 provides nonsubmetered master metered utility service, as defined  
17 by Section 13.087(a)(1), to a recreational vehicle park, as defined  
18 by Section 13.087(a)(3):

19 (1) [~~r~~] shall determine the rates for that service on  
20 the same basis the district uses to determine the rates for other  
21 commercial businesses that serve transient customers and receive  
22 nonsubmetered master metered utility service from the district; and

23 (2) may not charge a person who owns or operates a  
24 recreational vehicle park that receives nonsubmetered master  
25 metered utility service from the district an administrative fee for  
26 the services provided.

27 SECTION 8. Subdivisions (8) and (10), Section 94.001,

1 Property Code, are repealed.

2 SECTION 9. This Act takes effect September 1, 2013.