

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. Section 30.05(b)(10), 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. Section 94.001(3), 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. Section 184.011(2), Utilities Code, is amended
10 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 utility services from a person occupying a recreational
26 vehicle at the park if the occupant is delinquent in paying for
27 utility services provided by the operator until the occupant pays

1 the delinquent amount.

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

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

6 (A) on which service connections are made for
7 recreational vehicles, as defined by Section 522.004(b),
8 Transportation Code;

9 (B) that is designed primarily for use by
10 [vehicle] transient guests occupying recreational vehicles; and

11 (C) [guest use and] for which fees are paid at
12 intervals of one day or longer.

13 SECTION 7. Section 49.2122(a-1), Water Code, is amended to
14 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 transient customers that receive
24 nonsubmetered master metered utility service from the district an
25 administrative fee for the services provided.

26 SECTION 8. Sections 94.001(8) and (10), Property Code, are
27 repealed.

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