

1-1 By: Lucio S.B. No. 1268
1-2 (In the Senate - Filed March 6, 2013; March 13, 2013, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 15, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 15, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>X</u>			
1-10	<u>X</u>			
1-11	<u>X</u>			
1-12	<u>X</u>			
1-13	<u>X</u>			
1-14	<u>X</u>			
1-15	<u>X</u>			
1-16	<u>X</u>			
1-17	<u>X</u>			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1268 By: Lucio

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to recreational vehicles and recreational vehicle parks.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Subdivision (10), Subsection (b), Section 30.05,
1-24 Penal Code, is amended to read as follows:
1-25 (10) "Recreational vehicle park" has the meaning
1-26 assigned by Section 13.087, Water [~~means a tract of land that has~~
1-27 ~~rental spaces for two or more recreational vehicles, as defined by~~
1-28 ~~Section 522.004, Transportation] Code.
1-29 SECTION 2. Subdivision (3), Section 94.001, Property Code,
1-30 is amended to read as follows:
1-31 (3) "Manufactured home" has the meaning assigned by
1-32 Section 1201.003, Occupations Code[, ~~and for purposes of this~~
1-33 ~~chapter, a reference to a manufactured home includes a recreational~~
1-34 ~~vehicle~~].
1-35 SECTION 3. Section 94.002, Property Code, is amended to
1-36 read as follows:
1-37 Sec. 94.002. APPLICABILITY. (a) This chapter applies only
1-38 to the relationship between a landlord who leases property in a
1-39 manufactured home community and a tenant leasing property in the
1-40 manufactured home community for the purpose of situating a
1-41 manufactured home [~~or a recreational vehicle~~] on the property.
1-42 (b) This chapter does not apply to the relationship between:
1-43 (1) a landlord who owns a manufactured home and a
1-44 tenant who leases the manufactured home from the landlord;
1-45 (2) a landlord who leases property in a manufactured
1-46 home community and a tenant leasing property in the manufactured
1-47 home community for the placement of personal property to be used for
1-48 human habitation, excluding a manufactured home [~~or a recreational~~
1-49 ~~vehicle~~]; or
1-50 (3) a landlord and an employee or an agent of the
1-51 landlord.
1-52 SECTION 4. Subdivision (2), Section 184.011, Utilities
1-53 Code, is amended to read as follows:
1-54 (2) "Dwelling unit":
1-55 (A) means:
1-56 (i) [~~(A)~~] one or more rooms that are
1-57 suitable for occupancy as a residence and that contain kitchen and
1-58 bathroom facilities; or
1-59 (ii) [~~(B)~~] a mobile home in a mobile home
1-60 park; and~~

2-1 (B) does not include a recreational vehicle, as
2-2 defined by Section 522.004(b), Transportation Code.

2-3 SECTION 5. Subchapter C, Chapter 184, Utilities Code, is
2-4 amended by adding Section 184.036 to read as follows:

2-5 Sec. 184.036. UTILITY CUTOFF AT RECREATIONAL VEHICLE PARK.
2-6 Notwithstanding any other law, a person who operates a recreational
2-7 vehicle park, as defined by Section 13.087, Water Code, may
2-8 withhold electric, water, or wastewater utility services from a
2-9 person occupying a recreational vehicle at the park if the occupant
2-10 is delinquent in paying for utility services provided by the
2-11 operator until the occupant pays the delinquent amount.

2-12 SECTION 6. Subdivision (3), Subsection (a), Section 13.087,
2-13 Water Code, is amended to read as follows:

2-14 (3) "Recreational vehicle park" means a commercial
2-15 property:

2-16 (A) that is designed primarily ~~[on which service~~
2-17 ~~connections are made]~~ for recreational vehicle transient guest use;
2-18 and

2-19 (B) for which fees for site service connections
2-20 for recreational vehicles, as defined by Section 522.004(b),
2-21 Transportation Code, are paid daily, weekly, or monthly ~~[at~~
2-22 ~~intervals of one day or longer]~~.

2-23 SECTION 7. Subsection (a-1), Section 49.2122, Water Code,
2-24 is amended to read as follows:

2-25 (a-1) Notwithstanding Subsection (a), a district that
2-26 provides nonsubmetered master metered utility service, as defined
2-27 by Section 13.087(a)(1), to a recreational vehicle park, as defined
2-28 by Section 13.087(a)(3):

2-29 (1) ~~[7]~~ shall determine the rates for that service on
2-30 the same basis the district uses to determine the rates for other
2-31 commercial businesses that serve transient customers and receive
2-32 nonsubmetered master metered utility service from the district; and

2-33 (2) may not charge a person who owns or operates a
2-34 recreational vehicle park that receives nonsubmetered master
2-35 metered utility service from the district an administrative fee for
2-36 the services provided.

2-37 SECTION 8. Subdivisions (8) and (10), Section 94.001,
2-38 Property Code, are repealed.

2-39 SECTION 9. This Act takes effect September 1, 2013.

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