

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2955 by Guillen (Relating to the regulation of industrialized housing by the manufactured housing division of the Texas Department of Housing and Community Affairs; providing a criminal penalty; authorizing fees.), **As Introduced**

No significant fiscal implication to the State is anticipated.

This bill would amend the Occupations Code relating to the regulation of industrialized housing by the manufactured housing division of the Texas Department of Housing and Community Affairs (TDHCA). The bill would amend Section 1202 of the Occupations Code to remove industrialized housing from the provisions of this Section, and add new Section 1203 to the Occupations Code, regarding industrialized housing. The bill would add new Chapter 1203 to the Occupations Code to establish the authority of the Manufactured Housing Board within the TDHCA to ensure compliance with and uniformly enforce the provisions of this chapter regarding industrialized housing. The bill would allow the board to impose fees in amounts sufficient to cover the costs of inspections conducted to ensure compliance with building codes specified in the bill. The bill would allow a municipality to regulate the on-site construction or installation of industrialized housing. The bill would make conforming changes to the Government and Transportation Codes. The bill would transfer all powers, duties, functions, and activities performed by the Texas Department of Licensing and Regulation (TDLR) relating to the regulation of industrialized housing to the manufactured housing division of the TDHCA. The bill would also provide for disciplinary procedures on an applicant or registrant violating this chapter's provisions. An offense under this chapter or a published rule of the board or TDHCA would be a Class A misdemeanor.

Based on information provided by TDLR and appropriations in each fiscal year of the 2012-13 biennium, it is assumed that \$77,437 and a 0.5 Full-time Equivalent position attributed to the regulation of industrialized housing would be transferred to TDHCA beginning in fiscal year 2014. Current staff responsibilities include issuing registrations, processing complaints and performing industrialized housing inspections as a result of complaints received.

Based on information provided by TDLR and TDHCA, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

The bill would create a Class A misdemeanor. Costs associated with enforcement, prosecution, and confinement could likely be absorbed with existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 304 Comptroller of Public Accounts, 332 Department of Housing and Community Affairs, 452 Department of Licensing and Regulation

LBB Staff: UP, KKR, MW, NV