

BILL ANALYSIS

C.S.H.B. 2947
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Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Some Texas counties are illegally attempting to control land use by calling recreational vehicle communities "subdivisions" and imposing subdivision standards on the internal site development of a privately owned legal lot or tract, with frontage on a public street or road, that is used for renting recreational vehicle spaces. This problem was previously addressed for manufactured home rental communities when the legislature clarified that such communities are not subdivisions. However, that law did not address recreational vehicle communities. C.S.H.B. 2947 seeks to establish that a recreational vehicle community is not a subdivision of land.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2947 amends the Local Government Code to establish that a recreational vehicle community is not a subdivision of land for purposes of statutory provisions relating to county regulation of subdivisions. The bill defines the following terms:

- "recreational vehicle community" as a plot or tract of land that is separated into two or more spaces:
 - for which water, wastewater, and electric utility services are provided or offered for a fee; and
 - on which recreational vehicles, including park model recreational vehicles, may be located for use and occupancy as temporary residences;
- "recreational vehicle" as a vehicle that:
 - was originally designed and manufactured primarily to provide temporary human habitation for recreational, seasonal, or transitional use;
 - is permanently built on a single chassis; and
 - is designed to be towed by a motor vehicle or is a motor vehicle; and
- "park model recreational vehicle" as a recreational vehicle that is built and certified in accordance with the American National Standards Institute Park Model Recreational Vehicle Standard, commonly cited as "ANSI A119.5."

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2947 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original extended provisions relating to county regulation of manufactured home rental communities, including a provision establishing that such a community is not a subdivision, to apply also to recreational vehicle rental communities. The substitute does not make any changes to those provisions and instead creates a new statute section establishing that a recreational vehicle community is not a subdivision of land. Accordingly, the substitute also does not include the following provisions that were in the original:

- provisions relating to the stringency of minimum infrastructure standards adopted by a county commissioners court for a recreational vehicle rental community, which the substitute no longer provides for; and
- a requirement for the owner of a proposed recreational vehicle rental community to submit an infrastructure development plan.

The original applied to recreational vehicle rental communities with spaces or lots that are rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option, whereas the substitute applies to recreational vehicle communities with spaces for which water, wastewater, and electric utility services are provided or offered for a fee.

The substitute changes the definition of "recreational vehicle" that applies to the bill from a motor vehicle primarily designed as temporary living quarters for recreational camping or travel use, including a travel trailer, camping trailer, truck camper, or motor home, to a vehicle that meets the following qualifications:

- was originally designed and manufactured primarily to provide temporary human habitation for recreational, seasonal, or transitional use;
- is permanently built on a single chassis; and
- is designed to be towed by a motor vehicle or is a motor vehicle.

The original included park model recreational vehicles in the definition of "recreational vehicle," whereas the substitute includes them among the recreational vehicles that may be located for use and occupancy as temporary residences in a "recreational vehicle community."