

BILL ANALYSIS

H.B. 1286
By: Guillen
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, privately owned recreational vehicle (RV) parks and campgrounds are not obligated to comply with the National Fire Protection Association 1194, Standard for Recreational Vehicle Parks and Campgrounds, which provides minimum construction requirements for safety and health for occupants using facilities supplied by RV parks and campgrounds offering temporary living sites for use by recreational vehicles, recreational park trailers, and other camping units. RV parks and campgrounds are also exempt from possible governmental regulation. Both of these factors may contribute to safety hazards in RV parks and campgrounds which could harm residents. H.B. 1286 seeks to address this potential for harm by clarifying that certain RV parks may be subject to a certain level of government regulation and that these parks and campgrounds must comply with safety regulations set by the National Fire Protection Association 1194.

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

H.B. 1286 amends the Health and Safety Code to require a recreational vehicle park or campground to comply with certain standards set for such parks and campgrounds by the National Fire Protection Association (NFPA). The bill applies only to a recreational vehicle park or campground consisting of a privately owned parcel or tract of land under the control of a person or entity, other than a governmental entity, on which sites for recreational vehicles, recreational park trailers, or other camping units are offered primarily for transient guest use by members of the public or an organization for overnight stays. A park or campground operating on the bill's effective date is not required to comply with the bill's provisions before September 1, 2024.

H.B. 1286 establishes that a governmental entity may adopt a policy, rule, ordinance, or order that regulates environmental health and sanitation, electrical distribution system safety, liquefied petroleum gas storage and dispensing safety, or fire protection only if the policy, rule, ordinance, or order does not impose standards more stringent than the applicable NFPA standards. The bill defines "governmental entity" as the state, a state agency, or a political subdivision of the state.

EFFECTIVE DATE

September 1, 2023.