

By: Guillen

H.B. No. 2343

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of new HUD-code manufactured housing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1201.008, Occupations Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1) and (g) to read as follows:

(b) Subject to Subsection (g), on ~~[On]~~ application, the municipality shall permit the installation of a HUD-code manufactured home for use as a dwelling in any area determined appropriate by the municipality, including a subdivision, planned unit development, single lot, and rental community or park. An application to install a new HUD-code manufactured home for use as a dwelling is considered to be granted unless the municipality in writing denies the application and states the reason for the denial not later than the 45th day after the date the application is received.

(d) Except as approved by the department and subject to Subsection (d-1), a local governmental unit may not require a permit, a fee, a bond, or insurance for the transportation and installation of manufactured housing by a licensed retailer or installer. This subsection does not prohibit the collection of actual costs incurred by a local governmental unit that result from the transportation of a manufactured home.

(d-1) A municipality may not unreasonably regulate or

1 restrict the installation of new HUD-code manufactured homes. A
2 municipality may not require a specific use permit or other permit
3 that serves a similar purpose to a specific use permit for a new
4 HUD-code manufactured home that has been constructed in accordance
5 with federal law and this chapter.

6 (g) A municipality with zoning regulations or zoning
7 district boundaries:

8 (1) shall permit the installation of a new HUD-code
9 manufactured home for use as a dwelling under at least one:

10 (A) residential zoning classification; or

11 (B) type of residential zoning district; and

12 (2) may not adopt or enforce other zoning regulations
13 or zoning district boundaries that directly or indirectly prohibit
14 the installation of new HUD-code manufactured homes in all
15 residential zoning classifications or types of residential zoning
16 districts adopted by the municipality.

17 SECTION 2. This Act takes effect September 1, 2023.