

1-1 By: Buckingham S.B. No. 1248  
 1-2 (In the Senate - Filed March 3, 2017; March 13, 2017, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 April 3, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 3, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

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

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1248 By: Campbell

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

1-21 relating to municipal regulation of manufactured home communities.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Subchapter A, Chapter 211, Local Government  
 1-24 Code, is amended by adding Section 211.018 to read as follows:  
 1-25 Sec. 211.018. CONTINUATION OF LAND USE REGARDING  
 1-26 MANUFACTURED HOME COMMUNITIES. (a) In this section,  
 1-27 "manufactured home," "manufactured home community," and  
 1-28 "manufactured home lot" have the meanings assigned by Section  
 1-29 94.001, Property Code.  
 1-30 (b) The governing body of a municipality may not require a  
 1-31 change in the nonconforming use of any manufactured home lot within  
 1-32 the boundaries of a manufactured home community if:  
 1-33 (1) the nonconforming use of the land constituting the  
 1-34 manufactured home community is authorized by law; and  
 1-35 (2) at least 50 percent of the manufactured home lots  
 1-36 in the manufactured home community are physically occupied by a  
 1-37 manufactured home used as a residence.  
 1-38 (c) For purposes of Subsection (b), requiring a change in  
 1-39 the nonconforming use includes:  
 1-40 (1) requiring the number of manufactured home lots  
 1-41 designated as a nonconforming use to be decreased; and  
 1-42 (2) declaring that the nonconforming use of the  
 1-43 manufactured home lots has been abandoned based on a period of  
 1-44 continuous abandonment of use as a manufactured home lot of any lot  
 1-45 for less than 12 months.  
 1-46 (d) A manufactured home owner may install a new or used  
 1-47 manufactured home, regardless of the size, or any appurtenance on a  
 1-48 manufactured home lot located in a manufactured home community for  
 1-49 which a nonconforming use is authorized by law, provided that the  
 1-50 manufactured home or appurtenance and the installation of the  
 1-51 manufactured home or appurtenance comply with:  
 1-52 (1) nonconforming land use standards, including  
 1-53 standards relating to separation and setback distances and lot  
 1-54 size, applicable on the date the nonconforming use of the land  
 1-55 constituting the manufactured home community was authorized by law;  
 1-56 and  
 1-57 (2) all applicable state and federal law and standards  
 1-58 in effect on the date of the installation of the manufactured home  
 1-59 or appurtenance.  
 1-60 (e) A municipality that prohibits the construction of new

2-1 single-family residences or the construction of additions to  
2-2 existing single-family residences on a site located in a designated  
2-3 floodplain may, notwithstanding Subsection (b), (c), or (d),  
2-4 prohibit the installation of a manufactured home in a manufactured  
2-5 home community on a manufactured home lot that is located in an  
2-6 equivalently designated floodplain.

2-7 SECTION 2. Subchapter Z, Chapter 214, Local Government  
2-8 Code, is amended by adding Section 214.906 to read as follows:

2-9 Sec. 214.906. REGULATION OF MANUFACTURED HOME COMMUNITIES.

2-10 (a) "Manufactured home" has the meaning assigned by Section  
2-11 1201.003, Occupations Code.

2-12 (b) Notwithstanding any other law, the governing body of a  
2-13 municipality may not regulate a tract or parcel of land as a  
2-14 manufactured home community, park, or subdivision unless the tract  
2-15 or parcel contains at least four spaces offered for lease for  
2-16 installing and occupying manufactured homes.

2-17 SECTION 3. This Act takes effect September 1, 2017.

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