
Community Development & Housing Committee

HB 1746

Brief Description: Concerning utility rates and charges for unoccupied mobile home lots in manufactured housing communities.

Sponsors: Representatives Miloscia, McCune, Moeller and Blake.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits certain local government utility providers from charging utility rates or other utility costs to an unoccupied mobile home lot in a manufactured housing community unless certain conditions are met.

Hearing Date: 2/10/11

Staff: Chris Cordes (786-7103).

Background:

Local Government Utilities.

Various local governments have authority to purchase, construct, and/or operate specified utilities that provide their residents with water, power and heat, sewage and sewer systems, or storm water control. Among these local governments are cities, towns, counties, metropolitan municipal corporations (formed by one or more cities or assumed by a county), public utility districts, and water-sewer districts.

Generally, a statute authorizing the local government to provide these services also gives the utility general authority to establish the rates charged for the services and facilities. Some statutes direct the local government to set rates that are sufficient to cover the operation and maintenance costs or to meet debt obligations, if not otherwise provided for. Rates and charges

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may be required to be uniform for the same class of customers or service and facility, although a variety of statutory factors may be considered when developing these rates and charges.

Manufactured Housing Communities.

Under the Manufactured/Mobile Home Landlord-Tenant Act (Act), a manufactured housing community or mobile home park is defined as real property which is rented to others for the placement of two or more manufactured or mobile homes for year-round occupancy. A mobile home lot is the portion of the manufactured housing community designated as the location of one mobile home or manufactured home intended as a primary residence. The Act governs the rights and obligations landlords and their tenants where the tenant has no ownership interest in the real property or in the association which owns the real property.

Summary of Bill:

Certain local government utility providers are prohibited from charging rates or other utility costs to an unoccupied mobile home lot in a manufactured housing community unless:

- the lot is receiving individual utility services; or
- the landlord has voluntarily elected to continue the rates.

This prohibition applies to specified utilities owned by cities, towns, counties, metropolitan municipal corporations, sewer and water-sewer districts, and public utility districts.

For this purpose, manufactured housing community means the same as the definition under the Manufactured/Mobile Home Landlord-Tenant Act.

Appropriation: None.

Fiscal Note: Requested on February 5, 2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.