

## **BILL ANALYSIS**

Senate Research Center  
88R9288 MP-F

H.B. 2970  
By: Guillen; Cain (Flores)  
Local Government  
5/5/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas has a critical need for additional single-family housing within municipalities. The lack of housing supply adversely impacts homebuyer options and can cause home prices to rise to levels unattainable for most Texans.

H.B. 2970 seeks to address this issue by allowing manufactured homes that meet specified requirements to be placed in areas zoned for single-family or duplex dwellings.

H.B. 2970 amends current law relating to the municipal regulation of HUD-code manufactured homes.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1201.008, Occupations Code, by adding Subsections (g), (h), (i), (j), and (k), as follows:

(g) Requires a municipality, notwithstanding any other law, other than Subsections (h), (i), and (k), to allow the placement of a new United States Department of Housing and Urban Development-code (HUD-code) manufactured home as a permitted use in all zoning classifications that allow detached residential single-family or duplex dwellings, if the owner of the HUD-code manufactured home elects to treat the manufactured home as real property under Section 1201.2055 (Election by Owner).

(h) Authorizes a municipality to adopt an ordinance, regulation, or other measure that requires that new HUD-code manufactured home elected to be treated as real property and used as a single-family or duplex dwelling:

(1) have a value equal to or greater than the median taxable value of each single-family dwelling located within 500 feet of the lot on which the new HUD-code manufactured home is proposed to be placed, as determined by the most recent certified tax appraisal roll for the properties;

(2) have exterior siding, roofing, foundation fascia, and fenestration compatible with each single-family dwelling located within 500 feet of the lot on which the new HUD-code manufactured home is proposed to be placed;

(3) comply with the municipality's aesthetic, building setback, side and rear yard offset, subdivision control, architectural landscaping, square footage, and other site requirements that would apply to a single-family dwelling constructed on the site; or

(4) be securely placed on a permanent foundation system.

(i) Provides that the value of a HUD-code manufactured home, for purposes of Subsection (h), is the taxable or initial sales value of the HUD-code manufactured home and the value of the lot after the placement of the HUD-code manufactured home on the lot.

(j) Prohibits a municipality from adopting or enforcing an ordinance, regulation, or other measure that imposes a requirement on a new HUD-code manufactured home elected to be treated as real property under Section 1201.2055 that is more stringent than the regulations that would apply to a new single-family or duplex dwelling constructed on the site.

(k) Provides that Section 1201.008 (Regulation by Municipality) does not:

(1) limit the authority of a municipality to adopt an ordinance, regulation, or other measure to protect historic properties or historic districts; or

(2) affect deed restrictions.

SECTION 2. Effective date: September 1, 2023.