

BILL ANALYSIS

Senate Research Center
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H.B. 2315
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the governor's report following Hurricane Harvey (The Eye of the Storm), one of the recommendations was to explore ways to solve the issue of titling trailers attached to manufactured homes, as well as travel trailers, used in the Federal Emergency Management Administration (FEMA) temporary housing program.

The first issue being addressed is that currently, manufactured homes on trailers purchased by FEMA for its short-term housing program would not have been properly titled. While FEMA is exempt from getting a title or providing an owner of record from the retailer where these trailers are purchased, when the trailers are transferred to the Texas General Land Office (GLO), the state agency is not exempt from the titling requirements. For GLO to receive the proper title from the State, they must show previous title or owner of record, but FEMA does not have that due to the exemption.

The second issue being addressed is if a travel trailer is used as part of the temporary housing program, currently those trailers have to be titled by the Texas Department of Motor Vehicles (TxDMV) after 90 days. TxDMV noted that because the occupants of the travel trailers were focused on other matters after the storm came through, a lot of trailers did not receive the proper titling.

To address these concerns, H.B. 2315 amends the Occupations Code and exempts all state agencies that purchase a manufactured home with a trailer that was previously purchased by a federal agency in response to a natural disaster or other declared emergency. Although they are being exempted from applying for a title on these trailers, the Texas Department of Housing and Community Affairs (TDHCA) shall adopt rules for the application and automatic issuance of a statement of ownership in lieu of a title.

H.B. 2315 would also amend the Transportation Code to allow TxDMV to automatically issue a title to a government agency for a travel trailer used in the temporary housing program in response to a natural disaster or other declared emergency.

H.B. 2315 amends current law relating to evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Housing and Community Affairs in SECTION 1 (Section 1201.2071, Occupations Code) of this bill.

Rulemaking authority is expressly granted to the Texas Department of Motor Vehicles in SECTION 2 (Section 501.0341, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 1201, Occupations Code, by adding Section 1201.2071, as follows:

Sec. 1201.2071. EXEMPTION FOR CERTAIN EMERGENCY HOUSING. (a) Provides that Sections 1201.204 (Manufacturer's Certificate), 1201.205 (Statement of Ownership Form), 1201.206 (Application For Issuance of Statement of Ownership), and 1201.207 (Issuance of Statement of Ownership) do not apply to the purchase of a manufactured home that is purchased by a federal governmental agency and used to provide temporary housing in response to a natural disaster or other declared emergency.

(b) Requires the Texas Department of Housing and Community Affairs to adopt rules for the application for and automatic issuance of a statement of ownership of a manufactured home described by Subsection (a).

SECTION 2. Amends Subchapter B, Chapter 501, Transportation Code, by adding Section 501.0341, as follows:

Sec. 501.0341. ISSUANCE OF TITLE TO GOVERNMENT AGENCY FOR TRAVEL TRAILER. (a) Requires the Texas Department of Motor Vehicles by rule to establish a process to automatically issue a title to a government agency for a travel trailer used by the government agency to provide temporary housing in response to a natural disaster or other declared emergency.

(b) Authorizes rules adopted under this section, notwithstanding Section 501.004(b)(3) (relating to the inapplicability of certain title regulations to a motor vehicle while it is owned or operated by the United States), to provide for the issuance of a title for a travel trailer described by Subsection (a) that is owned or operated by the United States or transferred to a state agency from the United States.

SECTION 3. Effective date: September 1, 2019.