

AMENDED IN ASSEMBLY JUNE 22, 1999

AMENDED IN SENATE MAY 26, 1999

SENATE BILL

No. 476

Introduced by Senator Chesbro

February 18, 1999

An act to add Section 798.44 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 476, as amended, Chesbro. Mobilehomes: ~~liquid propane-butane~~ *liquified petroleum gas* sales.

Existing law prohibits the management of a mobilehome park from charging a fee for other than rent, utilities, and incidental reasonable charges for services actually rendered. Existing law also requires management to post in a conspicuous place the prevailing residential utilities rate schedule as published by the serving utility if management provides both master meter and submeter service of utilities to a homeowner. Existing law provides that in the absence of a rental agreement to the contrary, the park management may elect to bill a homeowner separately for utility service fees and charges assessed by the utility for services provided to or for spaces in the park, ~~including services for liquid propane gas~~. These utility fees and charges are not deemed to be included in the rent for the space.

This bill would prohibit the management of a mobilehome park from charging the mobilehome owners and tenants within a park more than 110% of the actual price paid by the

management of the park for ~~liquid propane butane~~ *liquified petroleum gas* if the management of the park does not permit the purchase of ~~liquid propane butane~~ *liquified petroleum gas* for use in the mobilehome park from any other source other than the mobilehome park management. The management of a mobilehome park would *also* be required to post the actual price paid by management for liquid propane butane sold by it.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares as
2 follows:

3 (a) ~~Liquid propane butane~~ *Liquified petroleum gas* is
4 a source of heat for mobilehome owners and tenants
5 within a mobilehome park.

6 (b) Many mobilehome park owners do not permit
7 mobilehome owners or tenants to purchase their own
8 ~~liquid propane butane~~ *liquified petroleum gas*, thereby
9 requiring mobilehome owners or tenants to purchase
10 ~~liquid propane butane~~ *liquified petroleum gas* from the
11 mobilehome park owner. The park owner usually
12 monitors the mobilehome owners' or tenants' use of
13 ~~liquid propane butane~~ *liquified petroleum gas* through a
14 master meter and submeter.

15 (c) ~~Mobilehome park owners have a right to sell liquid~~
16 ~~propane butane to their tenants at a price which reflects~~
17 ~~a reasonable profit.~~

18 (d) ~~Nothing in Section 798.74 of the Civil Code is~~
19 ~~intended to abrogate the right of a mobilehome park~~
20 ~~owner to charge a homeowner any fee authorized by~~
21 ~~Section 798.31.~~

22 (e) ~~Section 798.74~~

23 (c) *Section 798.44* of the Civil Code shall apply only to
24 mobilehome parks regulated under the Mobilehome
25 Residency Law. That section shall not apply to
26 recreational vehicle parks, as defined in Section 18215 of
27 the Health and Safety Code, which exclusively serve



1 recreational vehicles, as defined in Section 18010 of the
2 Health and Safety Code.

3 SEC. 2. Section 798.44 is added to the Civil Code, to
4 read:

5 798.44. (a) The management of a park that does not
6 permit mobilehome owners or park tenants to purchase
7 ~~liquid propane butane~~ *liquified petroleum gas* for use in
8 the mobilehome park from someone other than the
9 mobilehome park management shall not sell ~~liquid~~
10 ~~propane butane~~ *liquified petroleum gas* to mobilehome
11 owners and tenants within the park at a cost which
12 exceeds 110 percent of the actual price paid by the
13 management of the park for ~~liquid propane butane~~
14 *liquified petroleum gas*.

15 (b) The management of a park shall post in a visible
16 location the actual price paid by management for liquid
17 propane butane sold ~~pursuant to subdivision (a)~~.

18 (c) *Nothing in this section is intended to abrogate any*
19 *rights which mobilehome park owners may have under*
20 *Section 798.31 of the Civil Code.*

