

AMENDED IN SENATE MAY 15, 2000

AMENDED IN SENATE MARCH 27, 2000

**SENATE BILL**

**No. 1612**

**Introduced by Senator Chesbro**

February 22, 2000

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An act to amend Section 798.44 of the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1612, as amended, Chesbro. Mobilehome parks: ~~liquefied~~ *liquefied* petroleum gas.

Existing law limits the cost which may be charged to mobilehome owners and park tenants for the purchase of ~~liquefied~~ *liquefied* petroleum gas for use in the mobilehome park where the management of the park does not permit those owners or tenants to purchase that product from someone other than the mobilehome park management. It also requires the management of the park to post the actual price paid by management for that gas.

This bill would provide that the limit on the cost charged to mobilehome owners and tenants for liquefied petroleum gas sold by mobilehome park management and the requirement for price posting shall apply to mobilehome parks where requirements of *federal*, state, or local law or regulation prohibit homeowners and tenants from installing their own *liquefied petroleum* gas supply tanks, even if the mobilehome park permits the outside purchase of liquefied petroleum gas.

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. Section 798.44 of the Civil Code is  
2 amended to read:

3 798.44. (a) The management of a park that does not  
4 permit mobilehome owners or park tenants to purchase  
5 liquified petroleum gas for use in the mobilehome park  
6 from someone other than the mobilehome park  
7 management shall not sell liquified petroleum gas to  
8 mobilehome owners and tenants within the park at a cost  
9 which exceeds 110 percent of the actual price paid by the  
10 management of the park for liquified petroleum gas.

11 (b) The management of a park shall post in a visible  
12 location the actual price paid by management for  
13 liquified petroleum gas sold pursuant to subdivision (a).

14 (c) This section shall apply only to mobilehome parks  
15 regulated under the Mobilehome Residency Law. This  
16 section shall not apply to recreational vehicle parks, as  
17 defined in Section 18215 of the Health and Safety Code,  
18 which exclusively serve recreational vehicles, as defined  
19 in Section 18010 of the Health and Safety Code.

20 (d) Nothing in this section is intended to abrogate any  
21 rights a mobilehome park owner may have under Section  
22 798.31 of the Civil Code.

23 (e) In addition to a mobilehome park described in  
24 subdivision (a), the requirements of subdivisions (a) and  
25 (b) shall apply to a mobilehome park where  
26 requirements of *federal*, state, or local law or regulation,  
27 including, but not limited to, requirements for setbacks  
28 between mobilehomes, prohibit homeowners or tenants  
29 from installing their own *liquefied petroleum* gas supply  
30 tanks, notwithstanding that the management of the  
31 mobilehome park permits mobilehome owners and park  
32 tenants to buy their own liquefied petroleum gas.

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