

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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INFORMATION BULLETIN 2003-10 (EH)

TO: Employee Housing Local Enforcement Agencies
Employee Housing Facility Operators
Employee Housing Interested Parties
City and County Building Officials
Division Staff

SUBJECT: 2003 LEGISLATIVE CHANGES

This Information Bulletin summarizes the legislative changes to the California Health and Safety Code (HSC), Employee Housing Act, , Division 13, Part 1 (commencing with section 17000), the Mobilehome Parks Act, Division 13, Part 2.1 (commencing with section 18200), the Special Occupancy Parks Act, Division 13, Part 2.3 (commencing with section 18860), and the California Penal Code, Part 1, Title 8, Chapter 9, sections 241 and 243 brought about by the 2003 Legislative Session. These changes become effective January 1, 2004.

➤ **Chapter 814, Statutes of 2003 (Senate Bill 306, Ducheny)** amends the following sections of the Health and Safety Code applicable to the Employee Housing Act, the Mobilehome Parks Act or the Special Occupancy Parks Act; amending Sections 17021.7, 18214, 18862.39, and 18862.47. The amendments are listed in the numerical order of their code section.

- In HSC Section 17021.7, the amendment corrects references to definitions for "Recreational Vehicle Park" and "Temporary Recreational Vehicle Park" to those contained in the Special Occupancy Parks Act (California Health and Safety Code, Division 13, Part 2.3, commencing with section 18860).
- In HSC Sections 18214 and 18862.39, the amendments changed the definitions of a "Mobilehome Park" and "Recreational Vehicle Park" as they relate to employee housing. The changes now exclude an area or tract of land zoned for agricultural purposes, with 12 or fewer mobilehomes, manufactured homes, or recreational vehicles, that is used for housing agricultural employees, from permit to operate requirements including the permit to operate fees. Previously, the law specified 12 or fewer agricultural employees for this provision to apply, and did not contain clarifying language regarding exclusion only from the permit to operate or its fees.

- In HSC Section 18862.47, the amendments changed the definition for a “Temporary Recreational Vehicle Park”, as it relates to employee housing. The change now excludes an area or tract of land zoned for agricultural purposes, with 12 or fewer recreational vehicles, that is used for housing agricultural employees, from permit to operate requirements including the permit to operate fees. Previously, the law specified 12 or fewer agricultural employees for this provision to apply, and did not contain clarifying language regarding exclusion only from the permit to operate or its fees.

➤ **Chapter 274, Statutes of 2003 (Senate Bill 919, Ortiz) amends Sections 241 and 243 of the Penal Code, relating to code enforcement officers.**

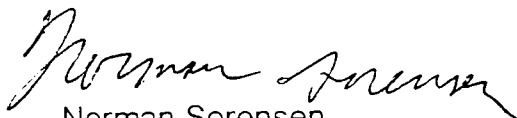
- Penal Code Section 241 was amended to add “code enforcement officer” to the list of specific positions (peace officers, fire fighters, etc.) that punishment provisions of assault and battery apply to. A new definition of “code enforcement officer” was adopted, to mean any person who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

Code enforcement officer now also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act, Manufactured Housing Act, Mobilehome Parks Act, or the Special Occupancy Parks Act.

This summary of legislative changes is not represented to be a complete digest of all new laws affecting persons and businesses regulated by the Employee Housing Act or other provisions of law enacted by this legislation. The complete text of each law can be reviewed through the Official California Legislative Information website using the internet address: www.leginfo.ca.gov.

Local governmental agencies receiving this Information Bulletin are requested to forward the information to other interested departments or agencies, such as planning and/or zoning, within their government.

Questions regarding this Information Bulletin may be directed to our Employee Housing Program staff at (916) 445-9471 or by contacting the Department via our web comment at <http://www.hcd.ca.gov/comments/>.



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