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AB-661 Utility services: electronic communication. (2023-2024)

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Date Published: 06/26/2024 09:00 PM

Assembly Bill No. 661

CHAPTER 23

An act to amend Section 798.42 of the Civil Code, relating to mobilehome parks.

[Approved by Governor June 26, 2024. Filed with Secretary of State June 26, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 661, Joe Patterson. Utility services: electronic communication.

Existing law, the Mobilehome Residency Law, prescribes various terms and conditions that regulate tenancies in mobilehome parks. That law requires management to post written notice on the mobilehomes of all affected homeowners and residents of a mobilehome park of an interruption in utility service at least 72 hours in advance, as specified.

This bill would authorize management, upon voluntary, written consent, as defined, of the homeowner or resident, to provide that notice through electronic communication, as defined.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 798.42 of the Civil Code is amended to read:

798.42. (a) The management shall provide all affected homeowners and residents at least 72 hours' written advance notice of an interruption in utility service of more than two hours for the maintenance, repair, or replacement of facilities of utility systems over which the management has control within the park, provided that the interruption is not due to an emergency. The management shall be liable only for actual damages sustained by a homeowner or resident for violation of this section.

(b) (1) Upon voluntary, written consent of a homeowner or resident, the management may provide notice under this section by electronic communication in a form of electronic communication to which the homeowner or resident consents.

(2) For each homeowner or resident not provided notice by electronic communication, the management shall post written notice on the mobilehome of the affected homeowner or resident.

(c) For purposes of this section, the following definitions apply:

(1) "Electronic communication" means email, text, or automated telephone call.

(2) "Emergency" means the interruption of utility service resulting from an accident or act of nature, or cessation of service caused by other than the management's regular or planned maintenance, repair, or replacement of utility facilities.

(3) "Voluntary, written consent" means written consent obtained separately from, and not contained in, any lease or rental agreement. Voluntary consent may be revoked by the homeowner or resident in writing at any time.