Regular Session, 2010

HOUSE BILL NO. 612

BY REPRESENTATIVE FOIL

HOUSING/MANUFACTURED: Provides for changes to the Uniform Standards Code for Manufactured Housing

1	AN ACT
2	To amend and reenact R.S. 51:911.22(1) and (12) and 911.23(A), and to enact R.S.
3	51:911.22(13), 911.23(C), and 911.26(F)(10), relative to modular and manufactured
4	homes; to provide for changes to definitions; to provide for a definition of "modular
5	home"; to provide for regulation of modular homes; to provide for additional powers
6	and duties of the commission; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 51:911.22(1) and (12) and 911.23(A) are hereby amended and
9	reenacted and R.S. 51:911.22(13), 911.23(C), and 911.26(F)(10) are hereby enacted to read
10	as follows:
11	§911.22. Definitions
12	As used in this Part, unless the context requires a different definition:
13	(1)(a) "Code" for manufactured housing means the National Manufactured
14	Home Construction and Safety Standards Act of 1974, 42 USC 5401 et seq. 42
15	U.S.C. 5401 et seq., as amended, and federal regulations promulgated pursuant
16	thereto, along with any construction or installation-related standards adopted by the
17	Louisiana Manufactured Housing Commission.
18	(b) "Code" for modular housing means the International Residential Code
19	as adopted by the Louisiana State Uniform Construction Code Council.
20	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(12) "Seal" or "label" means the permanently affixed device or insignia
2	issued by the United States Department of Housing and Urban Development (HUD)
3	or other authority having jurisdiction that is displayed on the exterior of a factory-
4	built manufactured home, certifying that the home is in compliance with the Code.
5	(13) "Modular home" means a factory-built, residential dwelling unit built
6	to the International Residential Code as adopted by the Louisiana State Uniform
7	Construction Code Council.
8	§911.23. Establishment of Uniform Standards Code; code preemption
9	A. All new manufactured or modular homes which are sold or offered for
10	sale in this state must shall be in compliance with the Code and the requirements of
11	this Part.
12	* * *
13	C. Notwithstanding the provisions of any other construction code
14	requirements in this state, manufactured and modular homes, built to the applicable
15	residential codes, may be used for commercial purposes by companies that want to
16	use such housing as living and working quarters for their employees, while
17	performing their duties for the company. This preemption includes but is not limited
18	to homes used for employee housing, with a sleeping limit of no more than two
19	persons per bedroom, regardless of familial relationship status. Further, this
20	preemption shall also allow licensees of the commission to have offices in model
21	home displays.
22	* * *
23	§911.26. Louisiana Manufactured Housing Commission
24	* * *
25	F. The powers and duties of the commission shall include but are not limited
26	to the following:
27	* * *
28	(10) The authority to establish a mandatory uniform written transportation
29	and installation contract that is required to be used by all transporters and installers

1	when moving or installing a manufactured home in this state. Transporters and
2	installers shall be required to give their customers a copy of the contract, itemizing
3	all services being provided and the cost associated with those services, prior to
4	beginning work. These records shall be maintained for at least three years and shall
5	be made available to the commission for inspection. Transporters who are only
6	passing through the state or are delivering a home to a licensee of the commission,
7	are not required to comply with the provisions of this Paragraph. The commission
8	shall have the authority to promulgate rules and regulations in accordance with the
9	Administrative Procedure Act in order to implement the provisions of this Paragraph.
10	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Foil

HB No. 612

Abstract: Provides for regulations of modular homes.

Present law provides for a definition of "code".

<u>Proposed law</u> retains <u>present law</u> but provides for a definition of "code" for manufactured housing and a definition of "code" for modular housing.

<u>Present law</u> provides that "seal" or "label" means the permanently affixed device or insignia issued by HUD that is displayed on the exterior of a manufactured home, certifying that the home is in compliance with the Code.

<u>Proposed law</u> retains <u>present law</u> but allows the device or insignia to be issued by other authority having jurisdiction and that it is displayed on the exterior of a factory-built manufactured home.

Proposed law provides for a definition of "modular home".

<u>Present law</u> requires all new manufactured homes sold or offered for sale in this state to comply with the Code.

Proposed law retains present law but includes modular homes.

<u>Proposed law</u> provides that manufactured and modular homes may be used for commercial purposes by companies that want to use such housing as living and working quarters for their employees, while performing their duties for the company.

<u>Present law</u> provides for the powers and duties of the La. Manufactured Housing Commission.

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<u>Proposed law</u> retains <u>present law</u> but also includes the authority to establish a mandatory uniform written transportation and installation contract that must be used by all transporters and installers when moving or installing a manufactured home in La. The commission shall have the authority to promulgate rules and regulations.

(Amends R.S. 51:911.22(1) and (12), and 911.23(A); Adds R.S. 51:911.22(13), 911.23(C), and 911.26(F)(10))

Summary of Amendments Adopted by House

Committee Amendments Proposed by <u>House Committee on Commerce</u> to the <u>original</u> bill.

1. Restored <u>present law</u> relating to warranties on manufactured homes.

House Floor Amendments to the engrossed bill.

- 1. Allowed manufactured and modular homes to be used for commercial purposes by companies that want to use such housing as living and working quarters for their employees, while performing their duties for the company.
- 2. Allowed licensees of the commission to have offices in model home displays.