

FIRST REGULAR SESSION

# SENATE BILL NO. 480

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

2195S.01H

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal sections 700.090 and 700.095, RSMo, and to enact in lieu thereof two new sections relating to manufactured housing.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 700.090 and 700.095, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 700.090 and 700.095, to read as follows:

700.090. 1. Every manufacturer or dealer who sells or  
2 offers for sale, on consignment or otherwise, a manufactured  
3 home or modular unit from or in the state of Missouri shall  
4 register with the commission each place of business at which  
5 the manufacturer or dealer sells or offers for sale a  
6 manufactured home or modular unit.

7 2. The commission shall issue a certificate of  
8 registration to a manufacturer who:

9 (1) Completes and files with the commission an  
10 application for registration which contains the following  
11 information:

12 (a) The name of the manufacturer;

13 (b) The address of the manufacturer and addresses of  
14 each factory owned or operated by the manufacturer, if  
15 different from the address of the manufacturer;

16 (c) If a corporation, the state of original  
17 incorporation, a list of the names and addresses of all  
18 officers and directors of the corporation, and proof of the

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 filing of all franchise and sales tax forms required by  
20 Missouri law;

21 (d) If not a corporation, the name and address of the  
22 managing person or persons responsible for overall operation  
23 of the manufacturer;

24 (2) Files with the commission an initial registration  
25 fee [of seven hundred fifty dollars] in the form of a  
26 cashier's check or money order made payable to the state of  
27 Missouri **in an amount established by the commission not to**  
28 **exceed the costs of administration, inspection, and other**  
29 **expenses necessary for the administration of sections**  
30 **700.010 to 700.115.**

31 3. The commission shall issue a certificate of  
32 registration to a dealer who:

33 (1) Completes and files with the commission an  
34 application for registration which contains the following  
35 information:

36 (a) The name of the dealer;

37 (b) The business address of the dealer and addresses  
38 of each separate facility owned and operated by the dealer  
39 from which manufactured homes or modular units are offered  
40 for sale if different from the business address of the  
41 dealer;

42 (c) If a corporation, the state of original  
43 incorporation, a list of the names and addresses of all  
44 officers and directors of the corporation, proof of the  
45 filing of all franchise and sales tax forms required by  
46 Missouri law;

47 (d) If not a corporation, the name and address of the  
48 managing person or persons responsible for the overall  
49 operations of the manufacturer;

50           (2) Files with the commission an initial registration  
51 fee [of two hundred dollars] in the form of a cashier's  
52 check or money order made payable to the state of Missouri  
53 **in an amount established by the commission not to exceed the**  
54 **costs of administration, inspection, and other expenses**  
55 **necessary for the administration of sections 700.010 to**  
56 **700.115;**

57           (3) Files with the commission proof of compliance with  
58 the provisions of section 301.280.

59           4. The registration of any manufacturer or dealer  
60 shall be effective for a period of one year and shall be  
61 renewed by the commission upon receipt by it from the  
62 registered dealer **or manufacturer** of a renewal fee [of seven  
63 hundred fifty dollars for manufacturers and two hundred  
64 dollars for dealers] **in an amount established by the**  
65 **commission not to exceed the costs of administration,**  
66 **inspection, and other expenses necessary for the**  
67 **administration of sections 700.010 to 700.115** and a form  
68 provided by the commission upon which shall be placed any  
69 changes from the information requested on the initial  
70 registration form.

71           5. The commission may stagger the renewal of  
72 certificates of registration to provide for more equal  
73 distribution over the twelve months of the number of  
74 registration renewals.

700.095. 1. Every dealer shall, on or before January  
2 fifteenth of each year, make application for registration or  
3 renewal and shall be required to maintain a bona fide  
4 established place of business and maintain a permanent  
5 enclosed building or structure, either owned in fee or  
6 leased and actually occupied as a place of business by the  
7 applicant for the selling, bartering, trading, or exchanging

8 of manufactured homes or modular units where the public may  
9 contact the owner or operator at any reasonable time and  
10 where the books, records, files, and other matter required  
11 and necessary to conduct the business shall be kept and  
12 maintained.

13 2. The application shall contain the business address,  
14 not a post office box address, and telephone number of the  
15 place where the books, records, files, and other matters  
16 required and necessary to conduct the business are located  
17 and where the same may be inspected during normal daytime  
18 business hours.

19 3. Each application shall contain such additional  
20 information as may be required by the commission to enable  
21 it to determine whether the applicant is a bona fide dealer  
22 in fact and is of good moral character.

23 4. Upon the payment of a registration or renewal fee  
24 [of two hundred dollars], there shall be assigned to each  
25 dealer a certificate of registration in such form as the  
26 commission shall prescribe.

✓