

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: S2/27/03*

# A Bill

SENATE BILL 407

5 By: Senators Baker, Wilkinson, J. Jeffress  
6 By: Representatives Mack, J. Taylor, Oglesby, L. Prater, Rankin, Parks, Agee, Jeffrey, Green, Thomas,  
7 Clemons, Scroggin  
8  
9

## For An Act To Be Entitled

11 AN ACT TO PROVIDE FOR THE AVAILABILITY OF  
12 AFFORDABLE HOUSING WITHIN THE MUNICIPALITIES OF  
13 ARKANSAS; AND FOR OTHER PURPOSES.  
14

### Subtitle

15 THE AFFORDABLE HOUSING ACCESSIBILITY  
16 ACT.  
17  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 14, Chapter 54, is amended to add an  
23 additional subchapter to read as follows:

24 Subchapter 16. The Affordable Housing Accessibility Act.  
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26 14-54-1601. Title.

27 This subchapter shall be known and cited as the "Affordable Housing  
28 Accessibility Act."  
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30 14-54-1602. Definitions.

31 As used in this subchapter:

32 (1) "Federal standards" mean the Federal Manufactured Home  
33 Construction and Safety Standards promulgated by the United States Department  
34 of Housing and Urban Development under the authority of 42 U.S.C. 5401 et  
35 seq. as it existed on January 1, 1976;

36 (2) "Manufactured home" means a dwelling unit constructed in a



1 factory in accordance with the federal standards and meeting the definitions  
2 set forth in the federal standards and under Arkansas Code § 20-25-102; and

3 (3) "Mobile home" means a dwelling unit constructed in a factory  
4 before the enactment of the federal standards.

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6 14-54-1603. Municipal construction and installation standards.

7 (a) Municipalities shall not establish or continue in effect any  
8 ordinance or regulation that sets standards for manufactured home  
9 construction or safety that are not identical to the federal standards.

10 (b) Municipalities shall not establish or continue in effect any  
11 ordinance or regulation that sets standards for manufactured home  
12 installation that are inconsistent with the state standards for installation  
13 set forth under § 20-25-106 and the design of the manufacturer.

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15 14-54-1604. Municipal regulation of manufactured homes.

16 (a)(1) Municipalities shall not establish or continue in effect any  
17 ordinance or regulation that totally prohibits the placement of manufactured  
18 homes on individually owned lots in residential districts or zones  
19 established primarily for single family dwellings.

20 (2) Municipalities shall not establish or continue in effect any  
21 ordinance or regulation that restricts the placement of manufactured homes  
22 only to mobile home parks, subdivisions or land lease communities.

23 (b) Municipalities may establish reasonable regulations or conditions  
24 for the placement of manufactured homes within the jurisdiction, including,  
25 but not limited to,:

26 (1) Perimeter foundation enclosures;

27 (2) Connection to utilities;

28 (3) Building setbacks;

29 (4) Side or rear yard offsets;

30 (5) Off-street parking;

31 (6) Construction of carports, garages and other outbuildings;

32 (7) Entry and exits, porches, decks, and stairs; and

33 (8) Other regulations or conditions that are applicable to other  
34 single family dwellings in the same residential district or zone.

35 (c) Municipalities shall not impose regulations or conditions on  
36 manufactured homes that prohibit the placement of manufactured homes or that

1 are inconsistent with the regulations or conditions imposed on other single  
2 family dwellings permitted in the same residential district or zone.

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4 14-54-1605. Regulation of Mobile Homes.

5 Municipalities may prohibit the placement of mobile homes in all  
6 residential districts or zones, or may restrict the placement of mobile homes  
7 to designated mobile home parks, subdivisions, or land lease communities.

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9 14-54-1606. Exceptions.

10 (a) This subchapter shall not supersede, prevent, or preempt any valid  
11 covenants or bills of assurance.

12 (b) This subchapter shall not require that manufactured homes be  
13 permitted in historic districts.

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15 SECTION 2. This act is effective October 1, 2003.

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17 */s/ Baker*  
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