

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 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 2556

5 By: Representative J. Johnson  
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7

## For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE  
10 ARKANSAS MANUFACTURED HOMES STANDARDS ACT  
11 ADMINISTERED BY THE ARKANSAS MANUFACTURED HOME  
12 COMMISSION; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO MAKE TECHNICAL AMENDMENTS TO  
15 THE ARKANSAS MANUFACTURED HOMES  
16 STANDARDS ACT ADMINISTERED BY THE  
17 ARKANSAS MANUFACTURED HOME COMMISSION.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 20-25-102 is amended to read as follows:  
24 20-25-102. Definitions.

25 As used in this chapter, unless the context otherwise requires:

26 (1) "Authorized representative" means any person or employee  
27 approved or hired by the Director of the Arkansas Manufactured Home  
28 Commission to perform inspection services;

29 (2) "Code" means standards adopted by the Arkansas Manufactured  
30 Home Commission;

31 (3) "Commission" means the Arkansas Manufactured Home  
32 Commission;

33 (4) "Director" means the Director of the Arkansas Manufactured  
34 Home Commission;

35 (5) "Installer" means a person, firm, or corporation not  
36 otherwise certified who is engaged in the business of installing manufactured



1 homes for himself or herself or on behalf of any other person not certified  
2 under this chapter;

3 (6) "Label" means a label issued by the United States Department  
4 of Housing and Urban Development or its contract agency to be affixed onto  
5 the exterior of the manufactured home to assure compliance with the federal  
6 standards;

7 (7) "Manufacturer" means any person, firm, or corporation who  
8 manufactures manufactured or modular homes;

9 (8) "Manufactured home" means a structure, transportable in one  
10 (1) or more sections, which in the traveling mode is eight (8) body feet or  
11 more in width or forty (40) body feet or more in length or, when erected on  
12 site, is three hundred twenty (320) or more square feet and which is built on  
13 a permanent chassis and designed to be used as a dwelling with or without a  
14 permanent foundation when connected to the required utilities. The term  
15 "manufactured home" includes the plumbing, heating, air conditioning, and  
16 electrical systems contained therein. This term shall include any structure  
17 which meets all the requirements of this subdivision (8) except the size  
18 requirements and with respect to which the manufacturer voluntarily files a  
19 certification required by the Secretary of the Department of Housing and  
20 Urban Development and complies with the federal standards;

21 (9) "Modular home" means a factory-built structure:

22 (A) Produced in accordance with state or local  
23 construction codes and standards; and

24 (B) Designed to be used as a dwelling unit with a  
25 foundation when connected to the required utilities;

26 ~~(9)~~(10) "Person" means an individual, partnership, corporation,  
27 or other legal entity; and

28 ~~(10)~~(11) "Retailer" means any person in the business of  
29 accepting on consignment, buying for resale, selling, or exchanging  
30 manufactured homes or offering them to the public for sale, exchange, or  
31 lease-purchase, whether for himself or herself or on behalf of any other  
32 person not certified as a dealer under this chapter.

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34 SECTION 2. Arkansas Code § 20-25-106(a), concerning the powers and  
35 duties of the Arkansas Manufactured Home Commission, is amended to read as  
36 follows:

1 (a)(1) The Arkansas Manufactured Home Commission shall by regulation  
2 set uniform reasonable standards for the proper installation of manufactured  
3 homes, including, but not limited to, foundation, supports, anchoring, and  
4 underpinning of manufactured homes installed in this state.

5 (2) The commission shall by regulation set requirements for and  
6 require licensing and certification of manufacturers of manufactured or  
7 modular homes in this state and manufacturers of manufactured or modular  
8 homes in other states selling them in this state.

9 (3) The commission by regulation shall set the requirements and  
10 require licensing and certification of any retailer, ~~manufactured home~~  
11 ~~salesman~~ salesperson, and others engaged in the sale, installation, anchoring,  
12 and servicing of manufactured or modular homes for sale in this state.

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14 SECTION 3. Arkansas Code § 20-25-106(f), concerning the suspension,  
15 revocation, or failure to renew a license issued by the Arkansas Manufactured  
16 Home Commission, is amended to read as follows:

17 (f) The commission shall have the power to suspend, revoke, or refuse  
18 to renew the license or certification under this chapter of any person who is  
19 found to have been guilty of:

20 (1) Fraud, misrepresentation, or deception in obtaining a  
21 license or certification;

22 (2) Accepting a manufactured or modular home, directly or  
23 indirectly, from a manufacturer not certified by the state pursuant to this  
24 chapter;

25 (3) Selling or delivering, directly or indirectly, a  
26 manufactured or modular home to a retailer not certified by the state  
27 pursuant to this chapter; or

28 (4) Violating any provision of this chapter or rules or  
29 regulations promulgated thereunder+.

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31 SECTION 4. Arkansas Code § 20-25-107 is amended to read as follows:  
32 20-25-107. Administration by director.

33 (a) The Director of the Arkansas Manufactured Home Commission shall be  
34 appointed by the Arkansas Manufactured Home Commission.

35 (b) The director shall administer the code for manufactured homes.

36 (c)(1) The director shall establish an inspection system sufficient to

1 ensure compliance with the provisions of the code by providing for  
2 inspections by members of his own inspection staff.

3 (2) The director and his staff shall have the right to enter and  
4 inspect all factories, warehouses, or establishments in which manufactured or  
5 modular homes are manufactured.

6 (d) The director, with the approval of the commission, shall establish  
7 reasonable fees for certification, including licensing of manufactured or  
8 modular home ~~salesmen~~ salespersons and setting up, installing, and anchoring  
9 of manufactured homes.

10 (e) The director may, within the limits of appropriation, appoint such  
11 employees as he may deem necessary for the administration of this chapter.

12 (f) The director, with the approval of the commission, shall establish  
13 monitoring inspection fees in accordance with the guidelines established by  
14 the Secretary of Housing and Urban Development and provide for participation  
15 in the fee distribution system set out in 24 C.F.R. 3282.307.

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