

RÉSUMÉ DIGEST

ACT 765 (SB 398)

2026 Regular Session

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Existing law provides relative to manufactured, modular housing, and new manufactured and modular home warranties.

Existing law provides for terms and definitions.

New law adds definitions for "extraordinary circumstances", "factory-built housing dealer", "factory-built housing developer", "manufactured home" or "manufactured housing", "manufactured housing code", "manufacturer", "mobile home", "modular home" or "modular housing", "modular housing code", "residential subcommittee", "salesman", "seal" or "label", and "transporter" and otherwise retains existing law.

Existing law establishes the Residential Contractors Subcommittee (residential subcommittee), within the State Licensing Bd. for Contractors (board), consisting of five members. Provides that three members appointed by the governor from a list of names submitted by the La. Homebuilders Association.

Prior law provided that membership shall consist of three members appointed by the governor from a list of names submitted by the La. Homebuilders Association, one member from the 1st congressional district, one member from the 2nd congressional district, one member from the 3rd congressional district, one member representing the 4th and 5th congressional districts, and one member representing the 6th congressional district.

New law increases the membership of the residential subcommittee from five members to nine members, provides that members may have been actively engaged in the manufactured and modular housing industry, and provides that the membership shall consist of three members appointed by the governor from a list of names submitted by the La. Homebuilders Association, three members appointed by the governor from a list of names submitted by the La. Manufactured Housing Association, one member appointed by the governor to represent each congressional district and two at-large members appointed by the governor.

Prior law provides relative to the La. Manufactured Housing Commission (commission).

New law removes prior law provisions relative to the commission and transfers the commission's powers and duties to the Residential Contractors Subcommittee (residential subcommittee) of the State Licensing Bd. for Contractors (board).

New law provides for the issuance of manufacturer, factory-built housing dealer, and factory-built housing developer licenses by the residential subcommittee and certain requirements and restrictions on those licenses, an application process, background checks, expiration and renewal of a license, continuing education, and insurance requirements.

New law provides that the residential subcommittee shall impose and collect specified fees.

New law establishes the Residential Subcommittee Manufactured Housing Dedicated Fund Account within the state treasury. Requires the fees imposed and collected by the residential subcommittee to be deposited into the account. Provides for the appropriation of the monies in the account to the office of the governor for the activities of the residential subcommittee in the implementation and enforcement of new law.

New law provides relative to enforcement powers of the residential subcommittee, designation by out-of-state licensees of agents for service of process, venue for suit by the residential subcommittee, suspension or revocation of licenses, and penalties for violations.

New law provides that the provisions of the State Uniform Construction Code shall not conflict with federal standards by the United States Department of Housing and Urban Development (HUD) governing manufactured housing construction, or with state law governing manufactured housing installation and that services, renovation, repair, or warranty work performed on manufactured housing are also governed by federal HUD standards under the jurisdiction of the commission.

New law provides that if any provision or application of new law is held invalid, the remaining provisions, items, and applications remain effective and are declared severable.

New law provides that the referenced codes and standards, along with standards adopted by the residential subcommittee, are the exclusive construction and installation standard for manufactured and modular housing in the state and preempt all local construction or installation standards.

New law creates the "New Manufactured and Modular Home Warranty Act".

New law defines "builder", "building standards", "home", "initial purchaser", "major structural defect", and "owner".

New law provides relative to warranties by builders of manufactured or modular housing to owners, and exclusions from those warranties.

New law provides for written notice to the residential subcommittee regarding defective homes by the owner seeking relief.

New law provides relative to minimum standards for installation of manufactured and modular homes, and defines "frame tie" or "tie down", "ground anchor", "ground level", "installation permit", "installation permit sticker", "over-roof tie", "setup" or "installation", "stabilizer device", and "transporter".

New law provides for installation and setup standards and procedures and permitting requirements relative to manufactured or modular homes.

New law provides relative to licensing requirements for installers of manufactured and modular housing.

New law provides relative to violations by installers and penalties for violations.

Existing law extends the exemption for manufactured housing to related accessory structures, including driveways, steps, decks, and similar work, but excludes additional living areas or other types of heated and cooled spaces outside the original footprint of the manufactured home.

New law retains existing law except deletes the reference to services, renovation, repair, or warranty work performed on manufactured housing being under the jurisdiction of the commission and removes the exemption for manufactured housing as it relates to accessory structures.

New law requires municipalities and parishes to inspect the installation and setup of manufactured and modular homes within their jurisdiction.

New law requires inspections to be conducted by a certified building code enforcement officer or certified third-party provider using federal HUD construction standards.

New law requires all disputes regarding interpretation of federal or state construction standards be resolved by the residential subcommittee, whose decision is final and binding.

New law requires the residential subcommittee to offer educational courses on federal HUD construction and installation standards for certification purposes.

New law allows local governments to charge a reasonable inspection fee and permits licensees to hire a certified third-party provider to conduct installation inspections.

Effective January 1, 2027.

(Amends R.S. 37:2150.1 and 2155(A) and R.S. 40:1730.23(B); adds R.S. 37:2176.1-2176.19, 2177.1-2177.10, 2177.21-2177.30, and 2177.51-2177.53; repeals R.S. 51:911.21-911.47 and 912.1-912.53)