

2023 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE DEVILLIER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HOUSING/MANUFACTURED: Provides relative to manufactured housing

1 AN ACT

2 To amend and reenact R.S. 51:911.22(4)(a), 911.24(A)(2) and (6), 911.26(B)(1), and
3 912.23(1)(f) and to enact R.S. 51:911.24(I)(4), 911.26(F)(12), and 911.47, relative
4 to manufactured housing; to provide for definitions; to provide for certain licensure
5 and supervision requirements; to provide for terms of office for state manufactured
6 housing commissioners; to provide for the powers and duties of the Louisiana
7 Manufactured Housing Commission; to allow use of manufactured housing by
8 certain persons; to provide guidelines for manufactured housing piers; and to provide
9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 51:911.22(4)(a), 911.24(A)(2) and (6), 911.26(B)(1), and
12 912.23(1)(f) are hereby amended and reenacted and R.S. 51:911.24(I)(4), 911.26(F)(12), and
13 911.47 are hereby enacted to read as follows:

14 §911.22. Definitions

15 As used in this Part, unless the context requires a different definition:

16 * * *

17 (4)(a) "Developer" means any person, group of persons, firm, partnership,
18 corporation, association, company, or legal entity ~~who sells or offers for sale that~~
19 sells, leases, or offers for sale or lease to the public a lot together with a
20 manufactured home permanently installed and fixed on a foundation on the lot and
21 designed as a single family residence. For purposes of this Part, "developer" ~~shall~~

1 ~~include~~ includes "contractors" and "residential contractors" as defined in R.S.
2 37:2157.

3 * * *

4 §911.24. License required; qualifications; application; issuance; transfer; criminal
5 history record information

6 A.

7 * * *

8 (2) No developer shall ~~sell or offer for sale~~ sell, lease, or offer for sale or
9 lease to the public any manufactured or modular home unless he has obtained a
10 license from the commission, as provided in this Part. No employee of a developer
11 shall offer manufactured or modular housing for sale or lease to the general public
12 without first obtaining a salesman license or being a licensed real estate agent.

13 * * *

14 (6) No retailers or developers shall offer for sale or lease to the public any
15 new manufactured or modular home unless the manufacturer of the home has
16 obtained a valid manufacturer's license.

17 * * *

18 I.

19 * * *

20 (4) An unlicensed salesman may work under a properly licensed dealer or
21 developer, only while his license application is pending before the commission, if
22 the managing dealer or developer supervises the unlicensed salesman.

23 * * *

24 §911.26. Louisiana Manufactured Housing Commission

25 * * *

26 B.(1) The term of office of each commissioner shall be coterminous with that
27 of the governor making his appointment, and each commissioner shall serve until his
28 successor is appointed and ~~is~~ qualified. However, the term of office of any member
29 appointed from within a specific Public Service Commission district as provided

1 ~~above~~ in this Paragraph shall automatically expire if that member moves out of such
 2 Public Service Commission district. If a commissioner misses more than three
 3 meetings in a twelve-month period, the commissioner's term shall be declared
 4 vacant. In the event of any vacancy, whether by death, resignation, removal,
 5 expiration of term, or otherwise, the vacancy shall be filled for the unexpired portion
 6 of the term in the manner in which the original appointment was made.

7 * * *

8 F. The powers and duties of the commission shall include but are not limited
 9 to the following:

10 * * *

11 (12) Conducting meetings by remote access.

12 * * *

13 §911.47. Use of model manufactured and modular homes

14 Notwithstanding any provision of law to the contrary, a licensed dealer or
 15 developer shall be allowed to use a manufactured and modular home model to
 16 conduct all sales-related activity at the location of sales of manufactured and
 17 modular homes. Such use includes but is not limited to signing contracts, making
 18 copies or calls, showing manufactured and modular home models, or engaging in any
 19 other sales-related activity.

20 * * *

21 §912.23. Foundations and piers

22 The following guidelines shall be used when the installation of foundations
 23 and piers is not specified in the manufacturer's instructions or when the
 24 manufacturer's installation instructions are not available:

25 (1) Piers:

26 * * *

27 (f) Metal or precast support piers shall be installed on a base or footer of a
 28 minimum size of four inch by ~~sixteen~~ eight inch by sixteen inch solid concrete or
 29 other approved material.

30 * * *

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)]

HB 385 Engrossed

2023 Regular Session

DeVillier

Abstract: Provides guidelines for the La. Manufactured Housing Commission and for the sale and lease of manufactured housing.

Present law defines "developer" as any person, group, or entity who sells or offers for sale a lot together with a manufactured home.

Proposed law retains present law and adds that a developer is also any person, group, or entity who leases or offers for lease a lot together with a manufactured home.

Present law provides that a developer, an employee of the developer, or a retailer shall not sell or offer for sale any manufactured home without a license.

Proposed law retains present law and adds that a developer, an employee of a developer, or a retailer shall not lease or offer for lease any manufactured home without a license.

Proposed law provides that an unlicensed salesman may work under the supervision of a licensed dealer or developer while the salesman's license application is pending.

Present law provides the term of office and vacancy procedure for the state manufactured housing commissioners.

Proposed law retains present law and adds that if a commissioner misses more than three meetings in a 12-month period that commissioner's term shall be declared vacant.

Present law provides certain powers and duties of the La. Manufactured Housing Commission.

Proposed law retains present law and adds that the commission has the power to conduct meetings by remote access.

Proposed law provides that manufactured and modular home models may be used by licensed dealers or developers under certain circumstances.

Present law provides certain guidelines for pier installation for manufactured homes.

Proposed law changed the minimum size of the base for a pier from 4 inch x 16 inch x 16 inch to 4 inch x 8 inch x 16 inch.

(Amends R.S. 51:911.22(4)(a), 911.24(A)(2) and (6), 911.26(B)(1), and 912.23(1)(f); Adds R.S. 51:911.24(I)(4), 911.26(F)(12), and 911.47)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Provide that commission has the power to conduct meetings by remote access.