

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), 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), 911.24(A)(2) and (6), 911.26(B)(1), and 912.23(1)(f)
12 are hereby amended and reenacted and R.S. 51:911.24(I)(4), 911.26(F)(12), and 911.47 are
13 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~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 ~~include~~ includes "contractors" and "residential contractors" as defined in R.S.
2 ~~37:2157~~ 37:2150.1.

3 (b) "Developer" shall not include any of the following:

4 (i) An ~~an~~ individual selling his personal residence; ~~or,~~

5 (ii) A a real estate broker or real estate salesman retained by a person to sell
6 a manufactured home together with a lot on which the manufactured home has been
7 installed and fixed on a foundation.

8 (iii) A federally insured financial institution, its subsidiaries, or affiliates.

9 * * *

10 §911.24. License required; qualifications; application; issuance; transfer; criminal
11 history record information

12 A.

13 * * *

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

19 * * *

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

23 * * *

24 I.

25 * * *

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

29 * * *

1 §911.26. Louisiana Manufactured Housing Commission

2 * * *

3 B.(1) The term of office of each commissioner shall be coterminous with that
4 of the governor making his appointment, and each commissioner shall serve until his
5 successor is appointed and ~~is~~ qualified. However, the term of office of any member
6 appointed from within a specific Public Service Commission district as provided
7 ~~above in this Paragraph~~ shall automatically expire if that member moves out of such
8 Public Service Commission district. If a commissioner misses more than three
9 meetings in a twelve-month period, the commissioner's term shall be declared
10 vacant. In the event of any vacancy, whether by death, resignation, removal,
11 expiration of term, or otherwise, the vacancy shall be filled for the unexpired portion
12 of the term in the manner in which the original appointment was made.

13 * * *

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

16 * * *

17 (12) Conducting meetings by remote access.

18 * * *

19 §911.47. Use of model manufactured and modular homes

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

26 * * *

27 §912.23. Foundations and piers

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

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), 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.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add a provision that a developer shall not include a federally-insured financial institution, its subsidiaries, or affiliates.