

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2719

As Amended by House Committee on
Commerce and Labor

Brief*

HB 2719 amends the Kansas Manufactured Housing Act as a result of the 2000 federal Manufactured Housing Act, which required states to have state provisions in place regarding the administration of the Act. Provisions of the bill include the following.

Installation

- ! The state will exercise exclusive power to regulate the installation of manufactured homes.
- ! The Director of the Division of Motor Vehicles (DMV) within the Department of Revenue will adopt rules and regulations governing proper installation and siting of manufactured homes.
- ! Installers will be required to be licensed for a term of three years, which can be renewed. Fees for licensure will be \$300.
- ! Municipalities would be prohibited from imposing additional licensing requirements or fees.
- ! The enumerated requirements would not apply to a person who installs a manufactured home on property owned and occupied by the person.
- ! An applicant for an installer's license shall:
 - " be at least 18 years old;
 - " complete a training course;
 - " submit an application on a form prepared by the DMV;
 - " submit the \$300 fee;
 - " pass the examination;
 - " not have been found in violation of the Act or appropriate rules

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- and regulations;
 - " submit proof of at least two years' experience as an installer;
 - " carry liability insurance of at least \$100,000.
- ! The Director will establish examination standards or, in lieu of this, certify recognized and developed examinations.
- ! Requirements are included for apprentice installers.
- ! Exceptions are provided for currently licensed installers.
- ! Prohibited acts are outlined in the bill.
- ! Violations of prohibited acts are punishable by any of the following actions:
- " license revocation;
 - " license suspension;
 - " civil penalty of up to \$1,000 per violation, which will go to the Vehicle Dealers and Manufacturers Fee Fund
 - " requirement to take and pass or retake and pass the examination;
 - " a notice of non-compliance; or
 - " refusal of license application.
- ! Violation hearings may be held in accordance with the Kansas Administrative Procedure Act.
- ! Disputes may be resolved by negotiation, mediation, or court action.
- ! The effective date of the Act is upon publication in the *Kansas Register*.
- ! The implementation date of the Act is January 1, 2006.

Background

Support for the bill was stated by the conferee from the Kansas Manufactured Housing Association. Written testimony in support of the bill was received on behalf of Shult Homes, D&H Homes, LMH Homes, and Liberty Homes.

Opposition to the bill was expressed by the Secretary of the Department of Human Resources.

The fiscal note was not available when the bill passed out of Committee.