

# ACT No. 349

2023 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE DEVILLIER

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§911.22. Definitions

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

\* \* \*

(4)(a) "Developer" means any person, group of persons, firm, partnership, corporation, association, company, or legal entity ~~who sells or offers for sale that~~ sells, leases, or offers for sale or lease to the public a lot together with the sale of a manufactured home permanently installed and fixed on a foundation on the lot and 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~~ 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 \* \* \*

13 I.

14 \* \* \*

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

18 \* \* \*

19 §911.26. Louisiana Manufactured Housing Commission

20 \* \* \*

21 B.(1) The term of office of each commissioner shall be coterminous with that  
22 of the governor making his appointment, and each commissioner shall serve until his  
23 successor is appointed and ~~is~~ qualified. However, the term of office of any member  
24 appointed from within a specific Public Service Commission district as provided  
25 ~~above~~ in this Paragraph shall automatically expire if that member moves out of such  
26 Public Service Commission district. If a commissioner misses more than three  
27 meetings in a twelve-month period, the commissioner's term shall be declared  
28 vacant. In the event of any vacancy, whether by death, resignation, removal,

1 expiration of term, or otherwise, the vacancy shall be filled for the unexpired portion  
2 of the term in the manner in which the original appointment was made.

3 \* \* \*

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

6 \* \* \*

7 (12) Conducting meetings by remote access.

8 \* \* \*

9 §911.47. Use of model manufactured and modular homes

10 A. Notwithstanding the provisions of R.S. 40:1730.21 et seq. and R.S.  
11 40:1730.51 et seq. to the contrary, a licensed dealer or developer shall be allowed to  
12 use a manufactured and modular home model to conduct only manufactured and  
13 modular home sales-related activity at the location of sales of manufactured and  
14 modular homes. Manufactured and modular home sales-related activity includes but  
15 is not limited to executing contracts, making copies or phone calls, showing  
16 manufactured and modular home models, or engaging in any other sales-related  
17 activity.

18 B. The licensed dealer or developer shall also adhere to the following  
19 requirements:

20 (1) There shall be no overnight sleeping in the manufactured or modular  
21 home.

22 (2) The manufactured or modular home shall be properly installed in  
23 accordance with applicable federal and state statutes, rules, regulations, and codes.

24 \* \* \*

25 §912.23. Foundations and piers

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

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(1) Piers:

\* \* \*

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

\* \* \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_