

SENATE BILL No. 819

September 15, 2009, Introduced by Senators BIRKHOLZ and McMANUS and referred to the Committee on Appropriations.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending sections 5, 6, and 17 (MCL 125.2305, 125.2306, and
125.2317), as amended by 2006 PA 328.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) After consultation with and considering comments
2 from representatives of the manufactured housing industry and other
3 interested parties, the department shall promulgate the mobile home
4 code subject to section 4. The code shall consist of rules
5 governing all of the following:

6 (a) The licensure, density, layout, permits for construction,
7 construction of mobile home parks including standards for roads,

1 utilities, open space, or proposed recreational facilities, and
2 safety measures sufficient to protect health, safety, and welfare
3 of mobile home park residents, except water supply, sewage
4 collection and treatment, and drainage facilities which are
5 regulated by the department of ~~environmental quality~~ **NATURAL**
6 **RESOURCES**.

7 (b) The business, sales, and service practices of mobile home
8 dealers.

9 (c) The business practices of mobile home installers and
10 repairers.

11 (d) The licensure and regulations of mobile home installers
12 and repairers.

13 (e) The setup and installation of mobile homes inside mobile
14 home parks or seasonal mobile home parks.

15 (f) The regulation of the responsibilities, under the mobile
16 home warranty, of the mobile home components manufacturer, the
17 mobile home assembler or manufacturer, and the mobile home dealer,
18 including the time period and relationships of each under the
19 warranty, and the remedies available, if any, if the responsible
20 parties cease to operate as a business.

21 (g) Abuses relating to all of the following:

22 (i) Consumer deposits, except utility deposits from consumers
23 who are direct customers of utilities regulated by the Michigan
24 public service commission.

25 (ii) Detailed listing of furnishings and fixtures by a
26 manufacturer of a new mobile home or a mobile home dealer for a
27 used mobile home.

1 (iii) Disclosure and delivery of manufacturer's warranties.

2 (iv) Used mobile homes. A mobile home dealer shall provide
3 detailed listing of its service records for used mobile homes which
4 are being sold by the dealer and of which the dealer has knowledge.

5 (h) Applications for and issuance of certificates of title for
6 mobile homes.

7 (2) As part of the code, the department shall also promulgate
8 rules governing the licensure, density, layout, permits for
9 construction, and construction of seasonal mobile home parks,
10 including standards for roads, utilities, open space, proposed
11 recreational facilities, and safety measures sufficient to protect
12 the health, safety, and welfare of seasonal mobile home park
13 residents, except water supply, sewage collection and treatment,
14 and drainage facilities, which shall be regulated by the department
15 of ~~environmental quality~~ **NATURAL RESOURCES**.

16 (3) The rules promulgated for seasonal mobile home parks may
17 impose a less stringent standard than the rules promulgated for
18 mobile home parks.

19 Sec. 6. (1) After consultation with and considering comments
20 from representatives of the manufactured housing industry and other
21 interested parties, the department of ~~environmental quality~~ **NATURAL**
22 **RESOURCES** shall promulgate rules for mobile home parks and seasonal
23 mobile home parks setting forth minimum standards regulating:

24 (a) Water supply system.

25 (b) Sewage collection and disposal system.

26 (c) Drainage.

27 (d) Garbage and rubbish storage and disposal.

1 (e) Insect and rodent control.

2 (f) General operation, maintenance, and safety.

3 (g) Certification of compliance under section 17.

4 (2) Representatives of local government shall act in an
5 advisory capacity in the promulgation of the code.

6 (3) The commission shall consult with appropriate state and
7 local governments in developing the procedures for effective
8 coordination of efforts. The commission shall recommend procedures
9 to the governor and the legislature for coordinating state agency
10 decisions and activities pertaining to this act.

11 Sec. 17. (1) The department of ~~environmental quality~~ **NATURAL**
12 **RESOURCES** or its authorized representative shall conduct a physical
13 inspection of mobile home parks and seasonal mobile home parks in
14 accordance with standards established ~~by the department of~~
15 ~~environmental quality~~ **UNDER THIS ACT**. If the mobile home park or
16 seasonal mobile home park is approved, the department shall issue a
17 license pursuant to section 16.

18 (2) Except for purposes of issuing a license or renewing a
19 license pursuant to this act, a local government may not make an
20 inspection unless it has reason to believe that this act, the code,
21 or rules promulgated pursuant to this act were violated.

22 Enacting section 1. This amendatory act does not take effect
23 unless Senate Bill No. 807

24 of the 95th Legislature is enacted into law.