

HOUSE BILL NO. 5400

October 14, 2021, Introduced by Reps. Clemente, Camilleri, Brenda Carter, Cavanagh, Aiyash, Sowerby, Weiss, Cambensy and Cherry and referred to the Committee on Regulatory Reform.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending the title and section 3 (MCL 125.2303).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to create a ~~mobile home~~ **manufactured housing**
3 commission; to prescribe its powers and duties and those of local
4 governments; to provide for a mobile home code and the licensure,
5 regulation, construction, operation, and management of mobile home

1 parks, the licensure and regulation of retail sales dealers,
 2 warranties of mobile homes, and service practices of dealers; to
 3 provide for the titling of mobile homes; to prescribe the powers
 4 and duties of certain agencies and departments; to provide remedies
 5 and penalties; to declare the act to be remedial; to repeal this
 6 act on a specific date; and to repeal certain acts and parts of
 7 acts.

8 Sec. 3. (1) The ~~mobile home~~**manufactured housing** commission is
 9 created within the department of ~~commerce~~**licensing and regulatory**
 10 **affairs**.

11 (2) The commission consists of 11 members appointed by the
 12 governor with the advice and consent of the senate, each of whom
 13 ~~shall~~**must** be a citizen of this state.

14 (3) The members of the commission shall include each of the
 15 following:

16 (a) ~~A representative~~**Two representatives** of an organization
 17 whose membership consists of mobile home residents.

18 (b) A representative of financial institutions.

19 (c) Two operators of a licensed mobile home park. ~~having 100~~
 20 ~~or more sites and 1 operator of a licensed mobile home park having~~
 21 ~~less than 100 sites.~~

22 (d) A representative of organized labor.

23 (e) An elected official of a local government.

24 (f) A licensed mobile home dealer **or a manufacturer of mobile**
 25 **homes**.

26 (g) ~~One resident~~**Three residents** of a licensed mobile home
 27 park. ~~having 100 or more sites and 1 resident of a licensed mobile~~
 28 ~~home park having less than 100 sites.~~

29 (h) ~~A manufacturer of mobile homes.~~

1 (4) ~~A person~~ **An individual** appointed to ~~be a member~~ **the**
2 **commission** under subsection (3) (a), (d), (e), **or** (g), or a member
3 of that ~~person's~~ **individual's** immediate family, shall not have more
4 than a 1% ownership interest in or income benefit from a
5 manufacturer of mobile homes, a retail seller of mobile homes, a
6 licensed mobile home park, or a supplier of ancillary products or
7 services to the mobile home industry.

8 (5) The term of **office for** each member ~~shall of the commission~~
9 **must** be for 3 years. A vacancy in the office of a member ~~shall of~~
10 **the commission must** be filled by the governor for the remainder of
11 the unexpired term, not more than 1 month after the vacancy is
12 created, **and** in the same manner as the original appointment.

13 (6) The **legislature shall establish annually a** per diem
14 compensation ~~of for~~ **the members of the** commission and ~~the a~~
15 schedule for reimbursement of expenses. ~~shall be established~~
16 ~~annually by the legislature.~~

17 (7) Six members of the commission constitute a quorum for all
18 purposes, notwithstanding the existence of a vacancy in the
19 commission's membership. Action may be taken by the commission by a
20 vote of a majority of the members appointed and serving. Meetings
21 of the commission may be called by the chairperson or by 3 members
22 **of the commission** on 3 business days' actual notice. At least 1
23 meeting ~~shall must~~ be held each calendar quarter. The commission
24 may hold meetings anywhere in this state.

25 (8) The commission shall elect a member of the commission as
26 its chairperson and another member as its vice-chairperson. **The**
27 **chairperson or vice-chairperson must be selected from the**
28 **commission members described in subsection (3) (a) or (g).** The
29 duties and powers of the chairperson and vice-chairperson ~~shall~~

1 **must** be as prescribed in the commission's rules.

2 (9) A member of the commission may be removed from office by
3 the governor for inefficiency, neglect of duty, or misconduct or
4 malfeasance in office. A member of the commission who has a direct
5 pecuniary interest in a matter before the commission shall disclose
6 that interest before the commission ~~taking~~**takes** action with
7 respect to the matter. ~~, which~~**The** disclosure ~~shall~~**must** become a
8 part of the record of the commission's official proceedings.

9 (10) **As used in this section, "operator" means a person that**
10 **is in charge of the day-to-day management, including the business**
11 **operations and maintenance, of a mobile home park or seasonal**
12 **mobile home park.**