
Local Government Committee

SB 6593

Brief Description: Prohibiting discrimination against consumers' choices in housing.

Sponsors: Senators Prentice, Carlson, Keiser, T. Sheldon and Winsley.

Brief Summary of Bill

- Prohibits local governments from enacting any local statute or ordinance that has the effect of discriminating against consumers' choices in the placement or use of a manufactured home.
- Requires that manufactured homes built to HUD standards be regulated in the same manner as site-built homes, factory-built homes, or homes built to any other state construction standard.
- Grants authority to local governments to enact a limited range of regulations specific to manufactured homes with respect to siting, installation, and design.

Hearing Date: 2/19/04

Staff: Thamas Osborn (786-7129).

Background:

All cities, code cities, towns, and counties (local governments) have general authority to adopt comprehensive plans and zoning ordinances. Local governments required or choosing to plan under the State's Growth Management Act (GMA) have specific requirements to adopt comprehensive plans containing certain elements consistent with GMA requirements and to enact implementing development regulations, including zoning provisions.

A "designated manufactured home" is defined as a manufactured home constructed after June 15, 1976, in accordance with federal construction standards, that meets certain minimum size and roof pitch requirements, and has exterior siding material similar to materials commonly used in conventional site-built homes.

Summary of Bill:

Local governments are prohibited from enacting any statute or ordinance that has the effect, either directly or indirectly, of discriminating against consumers' choices in the placement or use of a home. Homes built consistent with the National Manufactured Housing Construction and Safety

Standards Act of 1974, 42 U.S.C. Sec. 5401 *et. seq.*, must be regulated in the same manner as site-built homes, factory-built homes, or homes built to any other state construction standard.

However, counties, cities, and towns are granted limited authority to enact regulations specific to manufactured homes with respect to siting, installation, and design. This regulatory authority is limited to regulations that require a manufactured home be:

- a "new" manufactured home;
- set upon a permanent foundation;
- consistent with the thermal standards set forth in the state energy code; and
- otherwise consistent with the standards for manufactured homes as set forth in RCW 35.63.160.

The RCW 35.63.160 is amended to delete an obsolete provision and to include a definition of the term "new manufactured home."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 1, 2005.