
SUBSTITUTE HOUSE BILL 1741

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Romero, Lantz, Mielke, O'Brien, Edwards, Chase and Schindler)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to prohibiting discrimination against consumers'
2 choices in housing; adding a new section to chapter 35.21 RCW; adding
3 a new section to chapter 35A.21 RCW; adding a new section to chapter
4 36.01 RCW; creating a new section; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that: Congress has
7 preempted the regulation by the states of manufactured housing
8 construction standards through adoption of construction standards for
9 manufactured housing (42 U.S.C. Sec. 5401-5403); and this federal
10 regulation is equivalent to the state's uniform building code. The
11 legislature also finds that congress has declared that: (1)
12 Manufactured housing plays a vital role in meeting the housing needs of
13 the nation; and (2) manufactured homes provide a significant resource
14 for affordable homeownership and rental housing accessible to all
15 Americans (42 U.S.C. Sec. 5401-5403). The legislature intends to
16 protect the consumers' rights to choose among a number of housing
17 construction alternatives without restraint of trade or discrimination
18 by local governments.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
2 to read as follows:

3 A city or town may not enact any statute or ordinance that has the
4 effect, directly or indirectly, of discriminating against consumers'
5 choices in the placement or use of a home in such a manner that is not
6 equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-
7 5403 standards (as amended in 2000) must be regulated in the same
8 manner as site built homes, factory built homes, or homes built to any
9 other state construction standard.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21 RCW
11 to read as follows:

12 A code city may not enact any statute or ordinance that has the
13 effect, directly or indirectly, of discriminating against consumers'
14 choices in the placement or use of a home in such a manner that is not
15 equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-
16 5403 standards (as amended in 2000) must be regulated in the same
17 manner as site built homes, factory built homes, or homes built to any
18 other state construction standard.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW
20 to read as follows:

21 A county may not enact any statute or ordinance that has the
22 effect, directly or indirectly, of discriminating against consumers'
23 choices in the placement or use of a home in such a manner that is not
24 equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-
25 5403 standards (as amended in 2000) must be regulated in the same
26 manner as site built homes, factory built homes, or homes built to any
27 other state construction standard.

28 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2005.

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