

1741-S

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

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

HB 1741-S.E - DIGEST

(AS OF HOUSE 2ND READING 2/11/04)

Finds that: Congress has preempted the regulation by the states of manufactured housing construction standards through adoption of construction standards for manufactured housing (42 U.S.C. Sec. 5401-5403); and this federal regulation is equivalent to the state's uniform building code.

Finds that congress has declared that: (1) Manufactured housing plays a vital role in meeting the housing needs of the nation; and

(2) Manufactured homes provide a significant resource for affordable homeownership and rental housing accessible to all Americans (42 U.S.C. Sec. 5401-5403).

Declares an intent to protect the consumers' rights to choose among a number of housing construction alternatives without restraint of trade or discrimination by local governments.

Provides that a city, county, or other governmental body may not enact any statute or ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401 et seq. standards (as amended in 2000) must be regulated in the manner as site built homes, factory built homes, or homes built to any other state construction standard.

Authorizes any city or town to require that: (1) A manufactured home be a new manufactured home;

(2) The manufactured home be set upon a permanent foundation, as specified in the state manufactured housing installation standard and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;

(3) If the manufactured home is to be located in a designated historic neighborhood, the manufactured home comply with all design standards that apply to all other homes within the designated historic neighborhood;

(4) The home is thermally equivalent to the state energy code; and;

(5) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.