



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB3079

Introduced 2/19/2016, by Sen. Donne E. Trotter

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Manufactured Home Quality Assurance Act. Provides that "manufactured home" and "mobile home" include structures designed to be used as a dwelling with or without a permanent foundation. Provides that the Department of Public Health is responsible for enforcing setup standards mandated by the United States Department of Housing and Urban Development as set forth in manufacturers' specifications pursuant to specified federal regulations. Provides that all manufactured homes shall be installed under the immediate onsite supervision of a licensed manufactured home installer. Provides that a fee of \$50 (instead of \$25) shall be paid by the licensed installer responsible for the installation for each manufactured home installed as evidenced by the installers affixing a Department-issued seal to the home and filing of an installation certificate with the Department. Provides that when the Department is required to inspect the installation of a manufactured home, a fee of \$395 shall be paid to the Department by the installer for each inspection made. Provides that when a Department-approved third party inspects the installation of a manufactured home, the installer shall pay an inspection fee not to exceed \$395 to the person performing the inspection. Provides that a report of the installation inspection shall be made in a manner prescribed by the Department. Provides that the Department shall by rule establish the qualifications and manner in which third parties may be approved to inspect manufactured housing inspections. Provides that the Department may adopt all rules necessary to implement this Act, which shall provide for the Department to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development under federal regulations. Provides that the Act does not apply to home rule municipalities with a population in excess of 1,000,000 so long as exempt municipalities adopt rules to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development under federal regulations. Effective immediately.

LRB099 17780 MGM 42142 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Manufactured Home Quality Assurance Act is  
5 amended by changing Sections 10, 15, 25, 60, and 65 as follows:

6 (430 ILCS 117/10)

7 Sec. 10. Definitions. In this Act:

8 "Department" means the Illinois Department of Public  
9 Health.

10 "Licensed installer" means a person who has successfully  
11 completed a manufactured home installation course approved by  
12 the Department and paid the required fees.

13 "Manufactured home" and "mobile home" mean ~~means~~ a  
14 "manufactured home", as defined in subdivision (53) of Section  
15 9-102 of the Uniform Commercial Code. "Mobile home" means a  
16 factory-assembled, completely integrated structure,  
17 constructed on or before June 30, 1976, designed for permanent  
18 habitation, with a permanent chassis, and so constructed as to  
19 permit its transport, on wheels temporarily or permanently  
20 attached to its frame, that is a movable or portable unit that  
21 is constructed to be towed on its own chassis (comprised of  
22 frame and wheels) from the place of its construction to the  
23 location, or subsequent locations, at which it is connected to

1 utilities for year-round occupancy for use as a permanent  
2 habitation, and designed to be used as a dwelling with or  
3 without a permanent foundation and situated so as to permit its  
4 occupancy as a dwelling place for one or more persons. The  
5 terms "manufactured home" and "mobile home" shall include units  
6 otherwise meeting their respective definitions containing  
7 parts that may be folded, collapsed, or telescoped when being  
8 towed and that may be expected to provide additional cubic  
9 capacity, and that are designed to be joined into one integral  
10 unit capable of being separated again into the components for  
11 repeated towing. The terms "manufactured home" and "mobile  
12 home" exclude campers and recreational vehicles.

13 "Manufacturer" means a manufacturer of a manufactured  
14 home, whether the manufacturer is located within or outside of  
15 the State of Illinois.

16 "Mobile home" or "manufactured home" does not include a  
17 modular home.

18 "Mobile home park" means a tract of land or 2 contiguous  
19 tracts of land that contain sites with the necessary utilities  
20 for 5 or more mobile homes or manufactured homes. A mobile home  
21 park may be operated either free of charge or for revenue  
22 purposes.

23 (Source: P.A. 98-749, eff. 7-16-14.)

24 (430 ILCS 117/15)

25 Sec. 15. Enforcement of setup standards. The Department is

1 responsible for enforcing setup standards mandated by the  
2 United States Department of Housing and Urban Development as  
3 set forth in manufacturers' specifications pursuant to Section  
4 3285.2(a) of Title 24 of the Code of Federal Regulations, 24  
5 C.F.R. 3285.2(a). In the absence of manufacturer's  
6 specifications, the Department must provide installation  
7 standards.

8 (Source: P.A. 92-410, eff. 1-1-02.)

9 (430 ILCS 117/25)

10 Sec. 25. Installation of home; installer's license; fees;  
11 display of license. All manufactured homes ~~installed after~~  
12 ~~December 31, 2001~~ shall be installed under the immediate onsite  
13 supervision of a licensed manufactured home installer. The fee  
14 for the issuance and renewal of an installer's license is \$150  
15 per year. In addition, a fee of \$50 shall ~~\$25 must~~ be paid by  
16 the licensed installer responsible for the installation for  
17 each manufactured home installed as evidenced by the installers  
18 affixing of a Department-issued seal to the home and filing of  
19 an installation certificate with the Department. A licensed  
20 installer shall ~~must~~ provide proof of licensing at the  
21 installation site at all times during the installation. The  
22 licensed installer responsible for the installation shall ~~must~~  
23 disclose the place of manufactured home delivery and the name  
24 of the buyer to the Department. When the Department is required  
25 to inspect the installation of a manufactured home, a fee of

1 \$395 shall be paid to the Department by the installer for each  
2 inspection made. When a Department-approved third party  
3 inspects the installation of a manufactured home, the installer  
4 shall pay an inspection fee not to exceed \$395 to the person  
5 performing the inspection. A report of the installation  
6 inspection shall be made in a manner prescribed by the  
7 Department. The Department shall by rule establish the  
8 qualifications and manner in which third parties may be  
9 approved to inspect manufactured housing inspections.

10 (Source: P.A. 92-410, eff. 1-1-02.)

11 (430 ILCS 117/60)

12 Sec. 60. Exclusive State power or function. It is declared  
13 to be the public policy of this State, pursuant to paragraph  
14 (h) of Section 6 of Article VII of the Illinois Constitution of  
15 1970, that any power or function set forth in this Act to be  
16 exercised by the State is an exclusive State power or function.  
17 Such power or function shall not be exercised concurrently,  
18 either directly or indirectly, by any unit of local government  
19 to which this Act applies, including home rule units, except as  
20 otherwise provided in this Act.

21 The Department may adopt all rules necessary to implement  
22 this Act. Such rules shall provide for the Department to  
23 inspect manufactured home installations, require correction of  
24 violations, and perform other duties mandated by the United  
25 States Department of Housing and Urban Development pursuant to

1 Section 3286.803 of Title 24 of the Code of Federal  
2 Regulations, 24 C.F.R. 3286.803. The Department may require and  
3 approve non-governmental inspectors or inspection agencies,  
4 provided the Department shall at all times exercise supervisory  
5 control over such inspectors or agencies to insure effective  
6 and uniform enforcement consistent with the rules adopted by  
7 the Department.

8 (Source: P.A. 92-410, eff. 1-1-02.)

9 (430 ILCS 117/65)

10 Sec. 65. Applicability. This Act does not apply to home  
11 rule municipalities with a population in excess of 1,000,000 so  
12 long as exempt municipalities adopt rules to inspect  
13 manufactured home installations, require correction of  
14 violations, and perform other duties mandated by the United  
15 States Department of Housing and Urban Development pursuant to  
16 Section 3286.803 of Title 24 of the Code of Federal  
17 Regulations, 24 C.F.R. 3286.803. Exempt municipalities may  
18 require and approve non-governmental inspectors or inspection  
19 agencies, provided the exempt municipalities shall at all times  
20 exercise supervisory control over such inspectors or agencies  
21 to insure effective and uniform enforcement consistent with the  
22 rules adopted by the exempt municipalities.

23 (Source: P.A. 92-410, eff. 1-1-02.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 430 ILCS 117/10

4 430 ILCS 117/15

5 430 ILCS 117/25

6 430 ILCS 117/60

7 430 ILCS 117/65