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BILL ANALYSIS

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Senate Bills 544 through 552 (as introduced 6-4-03)
Sponsor: Senator Valde Garcia
Committee: Local, Urban and State Affairs

Date Completed: 6-2-04

CONTENT

Senate Bill 544 would amend the Mobile Home Commission Act to do all of the following:

- Require that a manufactured home park developer use a municipality's water and sewage service system, if accessible.**
- Prohibit a municipality from charging a manufactured home park more than it charged other customers for water and sewer services.**
- Revise the membership of the Commission.**
- Include a "manufactured home" as defined in Federal law in the Act's definition.**

The bill also would rename the Act the "Manufactured Housing Commission Act" and refer throughout the Act to a "manufactured home" rather than a "mobile home", a "manufactured home park" rather than a "mobile home park", and the "manufactured housing commission" rather than the "mobile home commission".

Senate Bills 545 through 552 would amend various statutes to refer to a "manufactured home" rather than a "mobile home", a "manufactured home park" rather than a "mobile home park", and the "manufactured housing commission" rather than the "mobile home commission". The bills are tie-barred to Senate Bill 544.

Senate Bill 545 would amend the State Housing Development Authority Act; Senate Bill 546 would amend the Use Tax Act; Senate Bill 547 would amend the Michigan Vehicle Code; Senate Bill 548 would amend the Natural Resources and Environmental Protection Act; Senate Bill 549 would amend the general usury Act; Senate Bill 550 would amend the Uniform Commercial Code; Senate Bill 551 would amend the Condominium Act; and Senate Bill 552 would amend the Revised Judicature Act.

A more detailed description of Senate Bill 544 follows.

Water & Sewer Service

The bill would require a manufactured home park developer or seasonal manufactured home park developer to use the municipality's system for water supply and sewage service, if that system were established and accessible. If the municipality established a system for water supply or sewage services after the manufactured home park or seasonal manufactured home park was built, the park would have to use that system only if the park made a substantial change to its system. The bill specifies that these requirements would apply

only to a manufactured home park or a seasonal manufactured home park built after January 1, 2004.

Under the bill, a municipality could not charge a manufactured home park or a seasonal manufactured home park more to provide a water supply system or sewage service than it charged other customers to provide the same type of service.

Commission Membership

Currently, the Mobile Home Commission consists of the following 11 members, appointed by the Governor with the advice and consent of the Senate:

- A representative of an organization whose membership consists of mobile home residents.
- A representative of financial institutions.
- Two operators of a licensed mobile home park having 100 or more sites, and one operator of a licensed mobile home park having fewer than 100 sites.
- A representative of organized labor.
- An elected official of a local government.
- A licensed mobile home dealer.
- One resident of a licensed mobile home park having 100 or more sites, and one resident of a licensed mobile home park having fewer than 100 sites.
- A manufacturer of mobile homes.

The bill would rename the Commission the "Manufactured Housing Commission" and refer to manufactured homes and manufactured home parks. Under the bill, the Commission would not include a member of organized labor and would include two locally elected officials, rather than one. In addition, the Commission would include three operators and two residents of licensed manufactured home parks without regard to the number of sites in those parks.

Definition

Under the Act, "mobile home" means a structure, transportable in one or more sections, that is built on a chassis and is designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

The bill would refer instead to a "manufactured home" and include in the definition a manufactured home as defined in the National Manufactured Housing Construction and Safety Standards Act (42 USC 5402). Under the Federal law, "manufactured home" means a structure, transportable in one or more sections that, in the traveling mode, is eight body feet or more wide or 40 body feet or more long, or, when erected on site, is 320 or more square feet, and is built on a permanent chassis and is designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. The Federal definition includes any structure that meets the Federal requirements, other than the size requirements, if the manufacturer voluntarily files a certification and complies with manufactured home standards established under the statute. It also excludes any self-propelled recreational vehicle.

Repeal

The bill would repeal Section 49 of the Act, which expresses legislative intent regarding the 1987 enactment of the Mobile Home Commission Act (MCL 125.2349).

MCL 125.2301 et al. (S.B. 544)
125.1401 et al. (S.B. 545)
205.93 & 205.94g (S.B. 546)
257.76 et al. (S.B. 547)
324.16901 & 324.40103 (S.B. 548)
438.31c (S.B. 549)
440.2804 et al. (S.B. 550)
559.107 (S.B. 551)
600.4704 et al. (S.B. 552)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: Maria Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.