

SENATE BILL NO. 2410

1 AN ACT TO AMEND SECTION 75-49-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF MODULAR HOMES UNDER THE UNIFORM STANDARDS
3 CODE FOR FACTORY-BUILT HOMES LAW; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 75-49-3, Mississippi Code of 1972, is
6 amended as follows:

7 75-49-3. Unless clearly indicated otherwise by the context,
8 the following words when used in this chapter, for the purpose of
9 this chapter, shall have the meanings respectively ascribed to
10 them in this section:

11 (a) "Manufactured home" means a structure defined by,
12 and constructed in accordance with, the National Manufactured
13 Housing Construction and Safety Standards Act of 1974, as amended
14 (42 USCS 5401 et seq.), and manufactured after June 14, 1976.

15 (b) "Mobile home" means a structure manufactured before
16 June 15, 1976, that is not constructed in accordance with the
17 National Manufactured Housing Construction and Safety Standards
18 Act of 1974, as amended (42 USCS 5401 et seq.). It is a structure

19 that is transportable in one or more sections, that, in the
20 traveling mode, is eight (8) body feet or more in width and
21 thirty-two (32) body feet or more in length, or, when erected on
22 site, is two hundred fifty-six (256) or more square feet, and that
23 is built on a permanent chassis and designed to be used as a
24 dwelling with or without a permanent foundation when connected to
25 the required utilities, and includes any plumbing, heating, air
26 conditioning and electrical systems contained therein; except that
27 such term shall include any structure which meets all the
28 requirements and with respect to which the manufacturer
29 voluntarily files a certification required by the commissioner and
30 complies with the standards established under this chapter.

31 (c) "Modular homes" means a structure which is: (i)
32 transportable in one or more sections; (ii) designed to be used as
33 a dwelling when connected to the required utilities, and includes
34 plumbing, heating,, air conditioning and electrical systems with
35 the home * * *. A modular home must be certified by its
36 manufacturers as being constructed in accordance with * * * the
37 most current version of the residential building code adopted by
38 the Mississippi Building Codes Council * * *; and * * * when
39 designed to be permanently installed at its final destination,
40 shall be installed on an approved foundation constructed in
41 compliance with the manufacturer's installation guidelines * * *.
42 The term "modular home" does not include manufactured housing as
43 defined by the National Manufactured Housing Construction and



44 Safety Standards Act of 1974. Structures used for hunting and
45 fishing camps are exempted from the building code requirements
46 pursuant to the provisions of Mississippi Code Section 17-2-9.

47 (d) "Modular home" means a structure which is: (i)
48 transportable in one or more sections; (ii) designed to be used as
49 a dwelling when connected to the required utilities, and includes
50 plumbing, heating, air conditioning and electrical systems with
51 the home; (iii) certified by its manufacturers as being
52 constructed in accordance with a nationally recognized building
53 code; and (iv) designed to be permanently installed at its final
54 destination on an approved foundation constructed in compliance
55 with a nationally recognized building code. The term "modular
56 home" does not include manufactured housing as defined by the
57 National Manufactured Housing Construction and Safety Standards
58 Act of 1974.

59 (d) "Modular home contractor" means a licensed
60 residential building contractor or a licensed retailer who buys
61 factory-built modular homes for resale to the general public,
62 whether to be located on the consumer's home site or a land-home
63 package on property owned by the modular home contractor. A
64 Mississippi licensed modular home contractor is authorized to sell
65 new modular homes for installation on a consumer's home site or as
66 part of a land-home package without the necessity of maintaining a
67 separate sales center. A modular home contractor shall be
68 responsible for the installation requirements for modular housing



69 as provided in Section IV of the rules and regulations for Uniform
70 Standards Code for the Factory-built Homes as related to modular
71 homes.

72 (e) "Factory-built home" means a mobile home, a
73 manufactured home, and a modular home as those terms are defined
74 herein.

75 (f) "Commissioner" means the Commissioner of Insurance
76 of the State of Mississippi.

77 (g) "Chief Deputy State Fire Marshal" means the
78 individual appointed by the Commissioner of Insurance, who, along
79 with his employees, is designated by the commissioner to implement
80 and enforce this chapter and to maintain, among other duties, the
81 Factory Built Division of the Insurance Department.

82 (h) "Division" means the Factory Built Division of the
83 State Fire Marshal's Office.

84 (i) "Person" means any individual, firm, corporation,
85 partnership, association or other type of business entity.

86 (j) "Retailer" means any person engaged in the retail
87 sale of new or used manufactured mobile or modular homes to the
88 general public.

89 (k) "Developer" means any person who buys factory-built
90 homes and real estate and then offers to sell or lease to the
91 general public land-home "package deals" consisting of a home with
92 real estate. Upon renewal of a license, a developer must provide
93 documentation to the Department of Insurance that he or she has at



94 least five (5) available manufactured or modular home sites. A
95 developer shall be responsible for installation requirements for
96 manufactured or modular housing as set forth in Section IV of the
97 rules and regulations for the Uniform Standards Code for
98 Factory-Built Homes Law.

99 (l) "Independent contractor installer or transporter"
100 means any person who is engaged for hire in the movement or
101 transportation, or both, or the installation, blocking, anchoring
102 and tie-down of a factory-built home. An "independent contractor
103 installer or transporter" shall not include persons who do not
104 hold themselves out for hire to the general public for the
105 purposes described in this definition.

106 (m) "Manufacturer" means any person engaged in the
107 production (construction) of manufactured homes or modular homes.

108 (n) "Installation" means the assembly of a manufactured
109 building, components of manufactured building on site and the
110 process of affixing a manufactured building to land, a foundation,
111 footings or an existing building and service connections which are
112 a part thereof.

113 **SECTION 2.** This act shall take effect and be in force from
114 and after July 1, 2025.

