

By: Representatives Yancey, Varner, Newman,  
Powell, McMillan

To: Business and Commerce

HOUSE BILL NO. 999

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

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

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

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

12 (a) "Manufactured home" means a structure defined by,  
13 and constructed in accordance with, the National Manufactured  
14 Housing Construction and Safety Standards Act of 1974, as amended  
15 (42 USCS 5401 et seq.), and manufactured after June 14, 1976.

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



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

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



45 Standards Act of 1974. Pursuant to Section 17-2-9, structures  
46 used for hunting and fishing camps are exempt from the building  
47 code requirements.

48 (d) "Modular home contractor" means a licensed  
49 residential building contractor or a licensed retailer who buys  
50 factory-built modular homes for resale to the general public,  
51 whether to be located on the consumer's home site or a land-home  
52 package on property owned by the modular home contractor. A  
53 Mississippi licensed modular home contractor is authorized to sell  
54 new modular homes for installation on a consumer's home site or as  
55 part of a land-home package without the necessity of maintaining a  
56 separate sales center. A modular home contractor shall be  
57 responsible for the installation requirements for modular housing  
58 as provided in Section IV of the rules and regulations for Uniform  
59 Standards Code for the Factory-built Homes as related to modular  
60 homes.

61 (e) "Factory-built home" means a mobile home, a  
62 manufactured home, and a modular home as those terms are defined  
63 herein.

64 (f) "Commissioner" means the Commissioner of Insurance  
65 of the State of Mississippi.

66 (g) "Chief Deputy State Fire Marshal" means the  
67 individual appointed by the Commissioner of Insurance, who, along  
68 with his employees, is designated by the commissioner to implement



69 and enforce this chapter and to maintain, among other duties, the  
70 Factory Built Division of the Insurance Department.

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

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

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

78 (k) "Developer" means any person who buys factory-built  
79 homes and real estate and then offers to sell or lease to the  
80 general public land-home "package deals" consisting of a home with  
81 real estate. Upon renewal of a license, a developer must provide  
82 documentation to the Department of Insurance that he or she has at  
83 least five (5) available manufactured or modular home sites. A  
84 developer shall be responsible for installation requirements for  
85 manufactured or modular housing as set forth in Section IV of the  
86 rules and regulations for the Uniform Standards Code for  
87 Factory-Built Homes Law.

88 (l) "Independent contractor installer or transporter"  
89 means any person who is engaged for hire in the movement or  
90 transportation, or both, or the installation, blocking, anchoring  
91 and tie-down of a factory-built home. An "independent contractor  
92 installer or transporter" shall not include persons who do not



93 hold themselves out for hire to the general public for the  
94 purposes described in this definition.

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

97 (n) "Installation" means the assembly of a manufactured  
98 building, components of manufactured building on site and the  
99 process of affixing a manufactured building to land, a foundation,  
100 footings or an existing building and service connections which are  
101 a part thereof.

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

