

**NCMHA Legislative Update
December 10, 2015**

[SB 491 Manufactured Housing Purchase Agreement Changes](#): Passed the Senate on 4/22/15; currently assigned to the House Judiciary IV Committee. This Bill clarifies that the 3 day right of cancellation only applies to the initial deposit. The consumer may still cancel the transaction later, but some or all of the deposit may be at risk. The Bill is eligible for consideration in April.

[HB 765 Regulatory Reform Act of 2015- MH Criminal History Check Changes](#); Passed and signed into law 10/22/15; This Bill is the omnibus Regulatory Reform Bill. There are a lot of environmental changes, new regulations on buffers, and many other regulatory changes. Specifically for the MH industry (section 1) clarifies a criminal history record check only applies to manufactured home salesmen and set-up contractors – the people who deal directly with the public. Recently, the Atty. General's Office advised that the literal wording of the law requires that ALL licensees (including manufacturers and dealers) have a criminal history check AND that the check must be done every year. This would be both unnecessary and expensive. This correction makes the law conform to the original intent and to actual practice for the last 12 years.

[HB 870 Certificate of Title/ Manufactured Home Changes](#): Passed the House on 4/27/15; assigned to Senate Rules Committee awaiting assignment to a substantive committee. This Bill provides for a lien to automatically expire after 30 years (unless renewed within that time) and clarifies the mechanics for the satisfaction, cancellation, and removal of liens, particularly "stale" liens (by affidavit) by either the owner of the MH or the owner of the land on which the MH is located. It also revises the mechanics lien agent law to exclude the purchase price of a MH from the calculation of the "cost of the undertaking," thereby eliminating the need to appoint a Lien Agent in most cases involving the purchase and setup of a MH. This Bill is eligible for consideration in April.

[HB 927- "Good Roads Bill"](#): Currently in House Transportation Committee. This Bill includes a host of fee changes; specifically for MH it increases the certificate of title (\$40 to \$60) and M.V. dealer license (\$70 to \$105). This Bill was rolled into the base budget.

[SB 25/HB 36 Zoning/Design &Aesthetic Controls](#): Passed by the General Assembly and signed into law on 6/19/15. This Bill would prohibit Counties and Cities from creating zoning design and aesthetics controls for single and multi-family developments.

[HB 201 Zoning Changes/Citizen Input](#): Passed by the General Assembly and signed into law on 7/17/15. This Bill would make changes to how citizens can protest a zoning development application; basically making it easier for developers to get zoning approval and more difficult for citizens to stop or delay a development proposal.

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[HB 255 Building Code Regulatory Reform](#): Passed by the General Assembly and signed into law on 7/13/15. This Bill requires the building code council to study alternative methods approval process; clarifies the definition of official misconduct for code officials, raises the threshold for requirements of a building permit, creates a new residential building code committee, requires certain council decisions and interpretations be posted on the internet, clarifies that inspection fees collected can only be used to support the inspections department, requires that inspections be performed in full and in a timely manner and inspection reports shall include ALL items failing to meet the code requirements.

[HB 483 Land Use Regulatory Changes](#): Passed the House on 4/30/15; currently assigned to the Senate Rules Committee awaiting assignment to a substantive committee. The bill is an effort to level the playing field between the land development community and local governments. Among its important reform provisions are those which allow landowners to vest in the rules in effect at the time a zoning permit is filed; allow actions in Superior Court to contest illegal ordinances or constitutional violations; and strengthens the law which allows for the recovery of attorney's fees by landowners when government agencies enact illegal ordinances or regulations. This Bill is eligible for consideration in April.

[HB 721 Subdivision Ordinances/ Land Development Changes](#): Passed by the General Assembly and signed into law on 8/5/15. This Bill makes changes to the performance guarantees laws and prohibits cities and counties from withholding building permits and certificates of occupancy with respect to performance guarantee requirements.

[HB 168/ SB 321 Exempt Builder Inventory](#): Passed by the General Assembly and signed into law on 8/18/15. These two versions of the House Bill and Senate Bill are identical bills. The Bill states that real property held for sale by a builder is designated as a special class of property. Any improvements made to the property by the builder are excluded from taxation, as long as the property is for sale.

[SB 355 Increase Safety/ Professional House Movers](#): Currently in the Senate Transportation Committee. The Bill did not meet the crossover deadline and is therefore ineligible. The Bill would require the manufacturer and the retailer to be jointly and severally liable for injury to persons or damage to property resulting from the transport of mobile homes, manufactured homes, modular homes, or portions thereof. It would also make all transporters to obtain a professional house moving license.

[SB 513- NC Farm Act of 2015](#): Passed by the General Assembly and signed into law on 9/30/15. Allows movement of 16' wide homes on Sundays.