

Bill No. CS for SB 1426

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Dudley moved the following amendment to amendment (092662):

Senate Amendment (with title amendment)

On page 2, between lines 7 and 8,

insert:

Section 2. Effective July 1, 1998, paragraph (d) is added to subsection (2) of section 20.18, Florida Statutes, and subsection (7) is added to said section, to read:

20.18 Department of Community Affairs.--There is created a Department of Community Affairs.

(2) The following units of the Department of Community Affairs are established:

(d) Bureau of Factory-built Housing.

(7) The Department of Community Affairs shall be the agency responsible for ensuring that there is adequate affordable housing in this state through the use of factory-built homes, that the federal code on mobile homes is strictly observed by manufacturers, and that the state code for manufactured buildings is an efficient method for

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1 providing manufactured buildings to residents of this state.
2 The department shall also be the agency responsible for the
3 installation of mobile homes and manufactured buildings to
4 such an extent that residents of this state are as safe as
5 possible.

6 Section 3. Effective July 1, 1998:
7 (1) All statutory powers, duties, functions, records,
8 personnel, property, and unexpended balances of
9 appropriations, allocations, or other funds of the Bureau of
10 Mobile Home and Recreational Vehicle Construction of the
11 Department of Highway Safety and Motor Vehicles relating to
12 regulation and administration of mobile homes, and all
13 existing authority and actions of the bureau, including, but
14 not limited to, all pending and completed actions on orders
15 and rules, all enforcement matters, and delegations,
16 interagency agreements, and contracts with federal, state,
17 regional, and local governments and private entities relating
18 to regulation and administration of mobile homes, are hereby
19 transferred to the Bureau of Factory-built Housing of the
20 Department of Community Affairs.

21 (2) The Department of Community Affairs and the
22 Department of Highway Safety and Motor Vehicles shall have the
23 authority to enter into interagency agreements with each other
24 concerning any matter affected by the transfer of the Bureau
25 of Mobile Home and Recreational Vehicle Construction to the
26 Department of Community Affairs to promote the efficient and
27 effective operation of both departments.

28 Section 4. (1) Effective July 1, 1998, the portion of
29 the Mobile Home and Recreational Vehicle Protection Trust Fund
30 created under s. 320.781, Florida Statutes, relating to mobile
31 homes is transferred to the Operating Trust Fund of the

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1 Department of Community Affairs to be administered and managed
 2 by the Bureau of Factory-built Housing of the Department of
 3 Community Affairs pursuant to s. 553.433, Florida Statutes.

4 (2) Effective July 1, 1998, that portion of the
 5 Highway Safety Operating Trust Fund, created under s. 318.39,
 6 Florida Statutes, and into which fees and penalties relating
 7 to mobile home regulation, manufacture, licensure, and
 8 installation, are deposited, and all fees and penalties that
 9 are deposited into the General Revenue Fund, are transferred
 10 to the Operating Trust Fund of the Department of Community
 11 Affairs to be administered and managed by the Bureau of
 12 Factory-built Housing.

13 Section 5. Effective July 1, 1998, all statutory
 14 powers, duties, and functions of the Department of Highway
 15 Safety and Motor Vehicles relating to the regulation or
 16 licensing of mobile home manufacturers, dealers or installers,
 17 are transferred to the Bureau of Factory-built Housing of the
 18 Department of Community Affairs.

19 Section 6. Subsection (2) of section 320.8235, Florida
 20 Statutes, is amended to read:

21 320.8325 Mobile homes and park trailers; tie-down
 22 requirements; ~~minimum~~ installation standards; injunctions;
 23 penalty.--

24 (2) The Department of Community Affairs ~~department~~
 25 shall promulgate rules and regulations setting forth ~~minimum~~
 26 standards for the manufacture and ~~or~~ installation of
 27 manufactured housing installation systems, composed of
 28 anchors, buckles, straps, stabilizer plates, and piers or
 29 other requirements mandated by a manufacturer's installation
 30 manual. ~~anchors, tie-downs, over-the-roof ties, or other~~
 31 ~~reliable methods of securing mobile homes or park trailers~~

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1 ~~when over-the-roof ties are not suitable due to factors such~~
2 ~~as unreasonable cost, design of the mobile home or park~~
3 ~~trailer, or potential damage to the mobile home or park~~
4 ~~trailer. Such systems devices required under this section,~~
5 ~~when properly installed, shall insure a manufactured home~~
6 ~~remains secured to the ground when subjected to winds equal to~~
7 ~~or less than their HUD code design criteria and shall cause~~
8 ~~the mobile home or park trailer to resist wind overturning and~~
9 ~~sliding. In promulgating such Such rules and regulations, the~~
10 ~~Department of Community Affairs may make such discriminations~~
11 ~~regarding mobile home or park trailer tie-down requirements~~
12 ~~shall be reasonably related to the as are reasonable when~~
13 ~~factors such as age, and windzone of the manufactured housing.~~
14 ~~location, and practicality of tying down a mobile home or park~~
15 ~~trailer are considered. The Department of Community Affairs~~
16 ~~shall also develop standards for installation and anchoring~~
17 ~~systems for park trailers. Fees and civil penalties collected~~
18 ~~by the Department of Community Affairs pursuant to s. 320.8325~~
19 ~~shall be deposited into a trust fund for the use by the~~
20 ~~Department of Community Affairs for the testing of~~
21 ~~manufactured housing installation systems and their individual~~
22 ~~components to insure that such products being delivered to~~
23 ~~consumers in this state meet the wind design criteria adopted~~
24 ~~by the Department of Community Affairs.~~

25 Section 7. When mobile homeowners in a mobile home
26 park obtain evaluations of the wind resistance of their mobile
27 homes and make improvements in accordance thereto using funds
28 from the General Appropriations Act pursuant to s. 627.0629,
29 the applicable local, county, or municipal government may
30 charge only one building permit or any other applicable fee or
31 change, not to exceed the usual permit fee or charge that

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1 would have applied to a single mobile homeowner, for the
2 entire mobile home park in which such evaluations are being
3 performed.

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5 (Redesignate subsequent sections.)

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8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 2, line 22, after the semicolon

11
12 insert:

13 amending s. 20.18, F.S.; creating the Bureau of
14 Factory-built Housing in the Department of
15 Community Affairs; providing powers and duties
16 of the bureau; transferring certain powers,
17 duties, and assets, of the Bureau of Mobile
18 Home and Recreational Vehicle Construction of
19 the Department of Highway Safety and Motor
20 Vehicles to the Bureau of Factory-built
21 Housing; authorizing interagency agreements;
22 transferring certain portions of the Mobile
23 Home and Recreational Vehicle Protection Trust
24 Fund to the Operating Trust Fund of the
25 Department of Community Affairs; transferring
26 certain portions of the Highway Safety
27 Operating Trust Fund and certain other fees and
28 penalties to the Operating Trust Fund of the
29 Department of Community Affairs; transferring
30 certain statutory powers, duties, and functions
31 of the Department of Highway Safety and Motor

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1 Vehicles to the Bureau of Factory-built Housing
2 of the Department of Community Affairs;
3 amending s. 320.8325, F.S.; providing for the
4 adoption of rules relating to manufactured
5 housing installation systems, and for the
6 development of standards for park trailers;
7 limiting the power of certain local governments
8 to charge certain permit fees relating to
9 mobile home parks;
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