

AN ACT concerning safety.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Manufactured Home Quality Assurance Act is amended by changing Sections 10, 15, 25, 60, and 65 as follows:

(430 ILCS 117/10)

Sec. 10. Definitions. In this Act:

"Department" means the Illinois Department of Public Health.

"Licensed installer" means a person who has successfully completed a manufactured home installation course approved by the Department and paid the required fees.

"Manufactured home" and "mobile home" mean ~~means~~ a "manufactured home", as defined in subdivision (53) of Section 9-102 of the Uniform Commercial Code. "Mobile home" means a factory-assembled, completely integrated structure, constructed on or before June 30, 1976, designed for permanent habitation, with a permanent chassis, and so constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, that is a movable or portable unit that is constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is connected to

utilities for year-round occupancy for use as a permanent habitation, and designed to be used as a dwelling with or without a permanent foundation and situated so as to permit its occupancy as a dwelling place for one or more persons. The terms "manufactured home" and "mobile home" shall include units otherwise meeting their respective definitions containing parts that may be folded, collapsed, or telescoped when being towed and that may be expected to provide additional cubic capacity, and that are designed to be joined into one integral unit capable of being separated again into the components for repeated towing. The terms "manufactured home" and "mobile home" exclude campers and recreational vehicles.

"Manufacturer" means a manufacturer of a manufactured home, whether the manufacturer is located within or outside of the State of Illinois.

"Mobile home" or "manufactured home" does not include a modular home.

"Mobile home park" means a tract of land or 2 contiguous tracts of land that contain sites with the necessary utilities for 5 or more mobile homes or manufactured homes. A mobile home park may be operated either free of charge or for revenue purposes.

(Source: P.A. 98-749, eff. 7-16-14.)

(430 ILCS 117/15)

Sec. 15. Enforcement of setup standards. The Department is

responsible for enforcing setup standards mandated by the United States Department of Housing and Urban Development as set forth in manufacturers' specifications pursuant to Section 3285.2(a) of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3285.2(a). In the absence of manufacturer's specifications, the Department must provide installation standards.

(Source: P.A. 92-410, eff. 1-1-02.)

(430 ILCS 117/25)

Sec. 25. Installation of home; installer's license; fees; display of license. All manufactured homes ~~installed after December 31, 2001~~ shall be installed under the immediate onsite supervision of a licensed manufactured home installer. The fee for the issuance and renewal of an installer's license is \$150 per year. In addition, a fee of \$50 shall ~~\$25 must~~ be paid by the licensed installer responsible for the installation for each manufactured home installed as evidenced by the installers affixing of a Department-issued seal to the home and filing of an installation certificate with the Department. A licensed installer shall ~~must~~ provide proof of licensing at the installation site at all times during the installation. The licensed installer responsible for the installation shall ~~must~~ disclose the place of manufactured home delivery and the name of the buyer to the Department. When the Department is required to inspect the installation of a manufactured home, a fee of

\$395 shall be paid to the Department by the installer for each inspection made. When a Department-approved third party inspects the installation of a manufactured home, the installer shall pay an inspection fee not to exceed \$395 to the person performing the inspection. A report of the installation inspection shall be made in a manner prescribed by the Department. The Department shall by rule establish the qualifications and manner in which third parties may be approved to inspect manufactured housing inspections.

(Source: P.A. 92-410, eff. 1-1-02.)

(430 ILCS 117/60)

Sec. 60. Exclusive State power or function. It is declared to be the public policy of this State, pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government to which this Act applies, including home rule units, except as otherwise provided in this Act.

The Department may adopt all rules necessary to implement this Act. Such rules shall provide for the Department to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development pursuant to

Section 3286.803 of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3286.803. The Department may require and approve non-governmental inspectors or inspection agencies, provided the Department shall at all times exercise supervisory control over such inspectors or agencies to insure effective and uniform enforcement consistent with the rules adopted by the Department.

(Source: P.A. 92-410, eff. 1-1-02.)

(430 ILCS 117/65)

Sec. 65. Applicability. This Act does not apply to home rule municipalities with a population in excess of 1,000,000 so long as exempt municipalities adopt rules to inspect manufactured home installations, require correction of violations, and perform other duties mandated by the United States Department of Housing and Urban Development pursuant to Section 3286.803 of Title 24 of the Code of Federal Regulations, 24 C.F.R. 3286.803. Exempt municipalities may require and approve non-governmental inspectors or inspection agencies, provided the exempt municipalities shall at all times exercise supervisory control over such inspectors or agencies to insure effective and uniform enforcement consistent with the rules adopted by the exempt municipalities.

(Source: P.A. 92-410, eff. 1-1-02.)

Section 99. Effective date. This Act takes effect upon becoming law.

Public Act 099-0750

SB3079 Enrolled

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