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HOUSE BILL 264

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO MANUFACTURED HOUSING; AMENDING CERTAIN SECTIONS OF
THE MANUFACTURED HOUSING AND ZONING ACT CONCERNING
IMPERMISSIBLE REGULATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-21A-2 NMSA 1978 (being Laws 1987,
Chapter 196, Section 2) is amended to read:

"3-21A-2. DEFINITIONS. -- As used in the Manufactured
Housing and Zoning Act:

A. "multi-section manufactured [~~housing~~] home"
means a manufactured home or modular home that is a single-
family dwelling with a heated area of at least thirty-six by
twenty-four feet and at least eight hundred sixty-four square
feet and constructed in a factory to the standards of the
United States department of housing and urban development, the

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1 National Manufactured Housing Construction and Safety
2 Standards Act of 1974 and the Housing and Urban Development
3 Zone Code 2 or the Uniform Building Code, as amended to the
4 date of the unit's construction, and installed consistent with
5 the Manufactured Housing Act and with the ~~[regulations]~~ rules
6 made pursuant thereto relating to permanent foundations; ~~[and]~~

7 B. "mobile home" means a movable or portable
8 housing structure larger than forty feet in body length, eight
9 feet in width or eleven feet in overall height, designed for
10 and occupied by no more than one family for living and
11 sleeping purposes that is not constructed to the standards of
12 the United States department of housing and urban development,
13 the National Manufactured Housing Construction and Safety
14 Standards Act of 1974 and the Housing and Urban Development
15 Zone Code 2 or Uniform Building Code, as amended to the date
16 of the unit's construction or built to the standards of any
17 municipal building code; and

18 C. "excavated site" means a site that results in
19 the upper plane of the concrete slab, or similar component of
20 another authorized permanent foundation system, being below
21 ground level or grade. "

22 Section 2. Section 3-21A-5 NMSA 1978 (being Laws 1987,
23 Chapter 196, Section 5, as amended) is amended to read:

24 "3-21A-5. IMPERMISSIBLE REGULATIONS. --

25 A. No ordinance or regulation authorized by the

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1 Manufactured Housing and Zoning Act shall regulate the
2 original construction of the manufactured home or mobile home.

3 B. No ordinance or regulation otherwise authorized
4 by the Manufactured Housing and Zoning Act shall be
5 permissible or enforceable if it would have the direct or
6 indirect effect of requiring that a multi-section manufactured
7 home be installed in an excavated site or be excluded from a
8 specific-use district in which site-built, single-family
9 housing is allowed."

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