

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 3093**

BY DELEGATE COWLES, PORTERFIELD AND ROHRBACH

[Introduced February 12, 2019; Referred  
to the Committee on Government Organization.]

1 A BILL to amend and reenact §8A-11-1 of the Code of West Virginia, 1931, as amended, relating  
 2 to standards for factory-built homes; providing for building code requirements for  
 3 manufactured housing to be the same as for requirements for other single-family homes.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 11. SPECIAL PROVISIONS.**

**§8A-11-1. Standards for factory-built homes.**

1 (a) Notwithstanding any existing provisions of law, municipal or county ordinance or state  
 2 building code, the standards for factory-built homes, housing prototypes, subsystems, materials  
 3 and components certified as acceptable by the federal Department of Housing and Urban  
 4 Development are considered acceptable and are approved for use in housing construction in this  
 5 state.

6 (b) Appropriate building code compliance documentation attached to a factory-built home  
 7 shall constitute prima facie evidence that the products or materials contained therein are  
 8 acceptable.

9 (c) A governing body of a municipality or a county, when enacting ~~residential design~~  
 10 ~~standards~~ any ordinance or regulation for the purposes of regulating the subdivision, development  
 11 and use of land, shall uniformly apply such design standards and associated review and  
 12 permitting procedures for factory-built and other single-family constructed homes.

13 (d) Factory-built homes, like other types of homes, shall be constructed and installed in  
 14 conformity with the requirements of 44 C.F.R. §60.3(1976) and any applicable statute or rule  
 15 relating to building in a flood zone.

NOTE: The purpose of this bill is to require the same building code standards to be applied to manufactured housing as are applied to other housing.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.