

6294

2009-2010 Regular Sessions

I N S E N A T E

November 16, 2009

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the real property law, in relation to including modular homes in the definition of manufactured home parks

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph 4 of subdivision a of section 233 of the real
2 property law, as added by chapter 566 of the laws of 1996, is amended to
3 read as follows:

4 4. The term "manufactured home" means a structure, transportable in
5 one or more sections, which in the traveling mode, is eight body feet or
6 more in width or forty body feet or more in length, or, when erected on
7 site, is three hundred twenty or more square feet, and which is built on
8 a permanent chassis and designed to be used as a dwelling with or with-
9 out a permanent foundation when connected to the required utilities, and
10 includes the plumbing, heating, air-conditioning, and electrical systems
11 contained therein; except that such term shall include a "mobile home"
12 as defined in paragraph five OF THIS SUBDIVISION, and shall include a
13 structure which meets all the requirements of this subdivision except
14 the size requirements and with respect to which the manufacturer volun-
15 tarily files a certification required by the secretary of housing and
16 urban development. WHENEVER THE TERM "MANUFACTURED HOME" IS USED IN THIS
17 SECTION, THE PROVISIONS SHALL ALSO APPLY TO MODULAR HOMES, AS DEFINED IN
18 PARAGRAPH SIX OF THIS SUBDIVISION.

19 S 2. Subdivision a of section 233 of the real property law is amended
20 by adding a new paragraph 6 to read as follows:

21 6. "MODULAR HOME" FOR PURPOSES OF THIS SECTION ONLY MEANS A
22 FACTORY-ASSEMBLED STRUCTURE DESIGNED PRIMARILY FOR USE AS A DWELLING
23 WHEN CONNECTED TO THE REQUIRED UTILITIES THAT INCLUDE PLUMBING, HEATING,
24 AND ELECTRICAL SYSTEMS CONTAINED THEREIN, DOES NOT CONTAIN ITS OWN
25 RUNNING GEAR, AND MUST BE MOUNTED ON A PERMANENT FOUNDATION.

26 S 3. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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