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SB 47

FILED

2006 APR -4 P 4: 55

WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
Regular Session, 2006



**ENROLLED**

*Committee Substitute for*

SENATE BILL NO. 47

(By Senator Prezioso, et al )



PASSED March 9, 2006

In Effect September 1, 2006 Passage

FILED

2006 APR -4 P 4: 55

CITIZEN WEST VIRGINIA  
SECRETARY OF STATE

**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 47**

(SENATORS PREZIOSO, WHITE AND FOSTER, *original sponsors*)

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[Passed March 9, 2006; to take effect September 1, 2006.]

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AN ACT to amend and reenact §8A-11-1 of the Code of West Virginia, 1931, as amended, relating to factory-built homes; updating compliance documentation for evidence in a court case; clarifying regulation by local governments; and requiring construction and installation to comply with federal regulations and applicable law.

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

That §8A-11-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 11. SPECIAL PROVISIONS.**

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

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

8 (b) Appropriate building code compliance documenta-  
9 tion attached to a factory-built home shall constitute  
10 prima facie evidence that the products or materials  
11 contained therein are acceptable.

12 (c) A governing body of a municipality or a county, when  
13 enacting residential design standards for the purposes of  
14 regulating the subdivision, development and use of land,  
15 shall uniformly apply such design standards and associ-  
16 ated review and permitting procedures for factory-built  
17 and other single-family constructed homes.

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Chandy White*  
.....  
Chairman Senate Committee

*Al Bean*  
.....  
Chairman House Committee

Originated in the Senate.

To take effect September 1, 2006.

*David E. Gibbs*  
.....  
Clerk of the Senate

*Bobby M. Scaf*  
.....  
Clerk of the House of Delegates

*Carl Roy Tomblin*  
.....  
President of the Senate

*Robert L.*  
.....  
Speaker House of Delegates

The within *is approved* ..... this the *6th* .....  
Day of *April* ....., 2006.

*Paul S. Haner*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 3 0 2006

Time 12:15pm