**South Carolina General Assembly**

119th Session, 2011-2012

**A108, R115, H3301**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Clemmons, Bowers, Bales, Anderson, Pinson, R.L. Brown and Erickson

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Introduced in the House on January 12, 2011

Introduced in the Senate on February 9, 2011

Last Amended on February 8, 2011

Passed by the General Assembly on January 11, 2012

Governor's Action: February 1, 2012, Signed

Summary: Modular homes

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/12/2011 House Introduced and read first time ([House Journal‑page 27](file:///h%3A%5Chj%20archive%5C2011%5C01-12-11.docx))

 1/12/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 27](file:///h%3A%5Chj%20archive%5C2011%5C01-12-11.docx))

 2/2/2011 House Member(s) request name added as sponsor: Bowers, Bales, Anderson, Pinson

 2/2/2011 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 4](file:///h%3A%5Chj%20archive%5C2011%5C02-02-11.docx))

 2/3/2011 House Member(s) request name added as sponsor: R.L.Brown

 2/3/2011 Scrivener's error corrected

 2/8/2011 House Member(s) request name added as sponsor: Erickson

 2/8/2011 House Amended ([House Journal‑page 75](file:///h%3A%5Chj%20archive%5C2011%5C02-08-11.docx))

 2/8/2011 House Read second time ([House Journal‑page 75](file:///h%3A%5Chj%20archive%5C2011%5C02-08-11.docx))

 2/9/2011 House Read third time and sent to Senate ([House Journal‑page 21](file:///h%3A%5Chj%20archive%5C2011%5C02-09-11.docx))

 2/9/2011 Senate Introduced and read first time ([Senate Journal‑page 9](file:///h%3A%5Csj%20archive%5C2011%5C02-09-11.docx))

 2/9/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 9](file:///h%3A%5Csj%20archive%5C2011%5C02-09-11.docx))

 2/23/2011 Senate Referred to Subcommittee: Malloy (ch), Ford, Massey, S.Martin

 4/6/2011 Senate Committee report: Favorable **Judiciary** ([Senate Journal‑page 13](file:///h%3A%5Csj%20archive%5C2011%5C04-06-11.docx))

 6/1/2011 Senate Read second time ([Senate Journal‑page 36](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 6/1/2011 Senate Roll call Ayes‑35 Nays‑0 ([Senate Journal‑page 36](file:///h%3A%5Csj%20archive%5C2011%5C06-01-11.docx))

 1/11/2012 Senate Read third time and enrolled ([Senate Journal‑page 11](file:///h%3A%5Csj%20archive%5C2012%5C01-11-12.docx))

 1/26/2012 Ratified R 115

 2/1/2012 Signed By Governor

 2/8/2012 Effective date 02/01/12

 2/10/2012 Act No. 108

**VERSIONS OF THIS BILL**

[1/12/2011](file:///p%3A%5Cpprever%5C2011-12%5C3301_20110112.docx)

[2/2/2011](file:///p%3A%5Cpprever%5C2011-12%5C3301_20110202.docx)

[2/3/2011](file:///p%3A%5Cpprever%5C2011-12%5C3301_20110203.docx)

[2/8/2011](file:///p%3A%5Cpprever%5C2011-12%5C3301_20110208.docx)

[4/6/2011](file:///p%3A%5Cpprever%5C2011-12%5C3301_20110406.docx)

(A108, R115, H3301)

**AN ACT TO AMEND SECTION 23‑43‑85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARDS FOR PLACEMENT OF MODULAR HOMES, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A MODULAR HOME USED AS A DISPLAY MODEL MAY BE PLACED FOR ITS FIRST RESIDENTIAL USE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Placement of model modular home for first residential use permitted**

SECTION 1. Section 23‑43‑85 of the 1976 Code is amended to read:

 “Section 23‑43‑85. (A) A single‑family modular home manufactured after January 1, 2005, must meet the following standards to be certified for placement in this State:

 (1) Roof pitch. For homes with a single predominant roofline, the pitch of the roof must be at least five feet rise for every twelve feet of run;

 (2) Eave projections. The eave projections of the roof must be at least ten inches, not including a gutter around the perimeter of the home unless the roof pitch is at least seven feet rise for every twelve feet of run;

 (3) Exterior wall. The height of the exterior wall must be at least seven feet six inches for the first story;

 (4) Siding and roofing materials. The materials and texture of the exterior materials must be compatible in composition, appearance, and durability to the exterior materials commonly used in standard residential construction.

 (B) A single‑family modular home placed in the State after January 1, 2005, must meet the foundation requirements provided by the State in this subsection:

 (1) A perimeter wall located under the exterior walls of the home, whether load‑bearing or nonload‑bearing, must be constructed of brick, masonry, or other permanent material commonly used in standard residential construction, consistent with surrounding residential structures, and in accordance with the International Residential Code as adopted by the South Carolina Department of Labor, Licensing and Regulation. All modular manufacturers shall submit with the plan set for each building to the department’s Modular Buildings Program a minimum foundation design.

 (2) A home located in a coastal or flood plain area may require piling or other special foundation designs. These foundations must be designed by a registered professional engineer or architect and are subject to review and approval by the local jurisdiction and not by the Modular Buildings Program. A perimeter wall constructed of brick, masonry, or other materials to enclose the foundation of the home may be a requirement of the design.

 (C) An appeal for a variance from a certification standard or a foundation requirement described in this section may be taken in the same manner as provided in Section 23‑43‑120.

 (D) A single‑family modular home used as a display model may be placed for its first residential use in this State if:

 (1) it bears a valid modular home label issued pursuant to this chapter;

 (2) it meets the appropriate wind and seismic requirements in effect when the label was issued;

 (3) it has not been altered from its original design;

 (4) it was manufactured within five years before the placement for first residential use; and

 (5) the seller provides the purchaser with written notice that the home meets the appropriate code requirements in effect at the time of manufacture, and may or may not meet the code requirements in effect at the time of placement for residential use.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 26th day of January, 2012.

Approved the 1st day of February, 2012.

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