

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas                      As Engrossed: S2/27/03   S3/4/03  
84th General Assembly                      A Bill  
Regular Session, 2003

SENATE BILL 407

By: Senators Baker, Wilkinson, J. Jeffress By: Representatives Mack,  
J. Taylor, Oglesby, L. Prater, Rankin, Parks, Agee, Jeffrey, Green,  
Thomas, Clemons, Scroggin

**For An Act To Be Entitled**

AN ACT TO PROVIDE FOR THE AVAILABILITY OF  
AFFORDABLE HOUSING WITHIN THE  
MUNICIPALITIES OF ARKANSAS; AND FOR OTHER  
PURPOSES.

**Subtitle**

THE AFFORDABLE HOUSING ACCESSIBILITY  
ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 14, Chapter 54, is amended to add an additional subchapter to read as follows:

Subchapter 16. The Affordable Housing Accessibility Act.

14-54-1601. Title.

This subchapter shall be known and cited as the "Affordable Housing Accessibility Act."

14-54-1602. Definitions.

As used in this subchapter:

(1) "Federal standards" mean the Federal Manufactured Home Construction and Safety Standards promulgated by the United States Department of Housing and Urban Development under the authority of 42 U.S.C. 5401 et seq. as it existed on January 1, 1976;

(2) "Manufactured home" means a dwelling unit constructed in a factory in accordance with the federal standards and meeting the definitions set forth in the federal standards and under Arkansas Code § 20-25-102; and

(3) "Mobile home" means a dwelling unit constructed in a factory before the enactment of the federal standards.

14-54-1603. Municipal construction and installation standards.

(a) Municipalities shall not establish or continue in effect any ordinance or regulation that sets standards for manufactured home construction or safety that are not identical to the federal standards.

(b) Municipalities shall not establish or continue in effect any ordinance or regulation that sets standards for manufactured home installation that are inconsistent with the state standards for installation set forth under § 20-25-106 and the design of the manufacturer.

14-54-1604. Municipal regulation of manufactured homes.

(a)(1) Municipalities that have zoning ordinances shall allow the placement of manufactured homes on individually-owned lots in at least one (1) or more residential districts or zones within the municipality.

(2) Municipalities shall not establish or continue in effect any ordinance or regulation that restricts the placement of manufactured homes only to mobile home parks, subdivisions or land lease communities.

(b) Municipalities may establish reasonable regulations or conditions for the placement of manufactured homes within the jurisdiction, including, but not limited to,:

(1) Perimeter foundation enclosures;

(2) Connection to utilities;

(3) Building setbacks;

(4) Side or rear yard offsets;

(5) Off-street parking; 8

(6) Construction of carports, garages and other outbuildings;

(7) Entry and exits, porches, decks, and stairs; and

(8) Other regulations or conditions that are applicable to other single family dwellings in the same residential district or zone.

(c) Municipalities shall not impose regulations or conditions on manufactured homes that prohibit the placement of manufactured homes or that are inconsistent with the regulations or conditions imposed on other single family dwellings permitted in the same residential district or zone.

14-54-1605. Regulation of Mobile Homes.

Municipalities may prohibit the placement of mobile homes in all residential districts or zones, or may restrict the placement of mobile homes to designated mobile home parks, subdivisions, or land lease communities.

14-54-1606. Exceptions.

(a) This subchapter shall not supersede, prevent, or preempt any valid covenants or bills of assurance.

(b) This subchapter shall not require that manufactured homes be permitted in historic districts.

SECTION 2. This act is effective October 1, 2003.

*/s/ Baker*