
SENATE BILL No. 381

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-23.7.

Synopsis: Manufactured home installers. Requires a manufactured home installer to place licensed installer safety decals in two locations in each manufactured home installed after June 30, 2012. Requires a utility that furnishes electric service to a manufactured home installed after December 31, 2012, to submit a monthly report to the manufactured home installers licensing board (board). Authorizes the board to impose a fee of not more than \$25 for each safety decal issued. Establishes the licensed installer safety decal compliance fund. Provides that the board administers the fund. Deposits the fees in the fund. Makes a continuous appropriation.

Effective: July 1, 2012.

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January 9, 2012, read first time and referred to Committee on Commerce & Economic Development.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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SENATE BILL No. 381



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-23.7-3-8 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The board shall:
 3 (1) enforce and administer this article;
 4 (2) adopt rules under IC 4-22-2 for the administration and
 5 enforcement of this article, including competency standards and
 6 a code of ethics for licensed installers;
 7 (3) prescribe the requirements for and the form of licenses issued
 8 or renewed under this article;
 9 (4) issue, deny, suspend, and revoke licenses in accordance with
 10 this article;
 11 (5) in accordance with IC 25-1-7, investigate and prosecute
 12 complaints involving licensees or individuals the board has
 13 reason to believe should be licensees, including complaints
 14 concerning the failure to comply with this article or rules adopted
 15 under this article, **including the requirement under**
 16 **IC 25-23.7-9-1 to place licensed installer safety decals in**
 17 **manufactured homes;**



1 (6) bring actions in the name of the state of Indiana in an
 2 appropriate circuit court to enforce compliance with this article or
 3 rules adopted under this article;

4 (7) establish fees in accordance with IC 25-1-8;

5 (8) inspect the records of a licensee in accordance with rules
 6 adopted by the board;

7 (9) conduct or designate a board member or other representative
 8 to conduct public hearings on any matter for which a hearing is
 9 required under this article and to exercise all powers granted
 10 under IC 4-21.5; and

11 (10) maintain the board's office, files, records, and property in the
 12 city of Indianapolis.

13 SECTION 2. IC 25-23.7-9 IS ADDED TO THE INDIANA CODE
 14 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]:

16 **Chapter 9. Licensed Installer Safety Decals**

17 **Sec. 1. For purposes of this chapter, "utility" refers to a utility**
 18 **(as defined in IC 8-1-1.1-1):**

19 (1) in whose service area a manufactured home is installed;
 20 and

21 (2) that furnishes light or power to the manufactured home.

22 **Sec. 2. (a) A licensee shall place in each manufactured home**
 23 **installed after December 31, 2012, a licensed installer safety decal**
 24 **issued under section 3 of this chapter in the following locations:**

25 (1) Inside the electrical panel or box that serves the
 26 manufactured home.

27 (2) Adjacent to the tag or label issued by the United States
 28 Department of Housing and Urban Development for the
 29 manufactured home, if available, or in a location designated
 30 by a utility.

31 **(b) Beginning February 1, 2013, a utility shall submit to the**
 32 **board a monthly report that contains the following information for**
 33 **the immediately preceding month:**

34 (1) Contact information, including name, address, and
 35 telephone number, for the tenant of each manufactured home
 36 installed after December 31, 2012, to which the utility
 37 furnishes light or power.

38 (2) A statement that the licensed installer safety decals
 39 described in subsection (a) are or are not properly displayed
 40 in the manufactured home.

41 **Sec. 3. (a) The board shall design a licensed installer safety decal**
 42 **for placement in manufactured homes under section 2 of this**

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1 chapter. The licensed installer safety decal must include the
2 following information:

3 (1) A certification that the manufactured home is installed as
4 follows:

5 (A) For a new manufactured home, to the manufacturer's
6 installation instructions.

7 (B) For a used manufactured home:

8 (i) to the manufacturer's installation instructions, if
9 available; or

10 (ii) if the manufacturer's installation instructions are not
11 available, to the American National Standard Institute
12 (ANSI) standard A225.1.

13 (2) For a licensed installer safety decal placed in an electrical
14 panel or box under section 2(a)(1) of this chapter:

15 (A) the name of the licensee;

16 (B) the date of the installation; and

17 (C) the address at which the manufactured home is
18 installed on the date described in clause (B).

19 (b) The board shall:

20 (1) prescribe the form and manner in which a licensee may
21 apply for a licensed installer safety decal under this section,
22 including the maximum number of safety decals that a
23 licensee may request at one (1) time;

24 (2) impose and collect a fee of not more than twenty-five
25 dollars (\$25) for each safety decal issued under this section.

26 (c) The board shall issue the requested number of licensed
27 installer safety decals to a licensee who completes an application
28 and pays the appropriate fee as determined by the board.

29 (d) The board shall deposit fees collected under subsection (b)(2)
30 in the licensed installer safety decal compliance fund established
31 under section 4 of this chapter.

32 (e) The board shall amend its rules as needed to comply with
33 this section.

34 Sec. 4. (a) The board shall implement a program to investigate
35 violations of section 2(a) of this chapter. If the board determines a
36 licensee has violated section 2(a) of this chapter, the board may
37 impose and collect a civil penalty of not more than one thousand
38 dollars (\$1,000) against the licensee.

39 (b) The board shall deposit a civil penalty collected under
40 subsection (a) in the fund.

41 (c) A licensee who is investigated by the board and found by the
42 board to have violated section 2(a) of this chapter may appeal the

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1 board's determination in accordance with IC 4-21.5.
2 Sec. 5. (a) The licensed installer safety decal compliance fund is
3 established to provide funds for administering and enforcing this
4 chapter, including implementing this chapter.
5 (b) The board shall administer the fund.
6 (c) The expenses of administering the fund shall be paid from
7 the money in the fund. The fund consists of:
8 (1) fees imposed and collected under section 3(b)(2) of this
9 chapter;
10 (2) civil penalties collected and assessed under section 4(a) of
11 this chapter; and
12 (3) money from any other source deposited in or appropriated
13 to the fund.
14 (d) The treasurer of state shall invest the money in the fund not
15 currently needed to meet the obligations of the fund in the same
16 manner as other public money may be invested.
17 (e) Money in the fund at the end of a state fiscal year does not
18 revert to the state general fund.
19 (f) Money in the fund is continuously appropriated for the
20 purposes of the fund.

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