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HOUSE BILL 1741

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Romero, Lantz, Mielke, O'Brien, Edwards, Chase and Schindler

Read first time 02/06/2003. Referred to Committee on Local Government.

1 AN ACT Relating to prohibiting discrimination against consumers'  
2 choices in housing; adding a new section to chapter 19.86 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that: Congress has  
6 preempted the regulation by the states of manufactured housing  
7 construction standards through adoption of construction standards for  
8 manufactured housing (42 U.S.C. Sec. 5401); and this federal regulation  
9 is equivalent to the state's uniform building code. The legislature  
10 also finds that congress has declared that: (1) Manufactured housing  
11 plays a vital role in meeting the housing needs of the nation; and (2)  
12 manufactured homes provide a significant resource for affordable  
13 homeownership and rental housing accessible to all Americans (42 U.S.C.  
14 Sec. 5401). The legislature intends to protect the consumers' rights  
15 to choose among a number of housing construction alternatives without  
16 restraint of trade or discrimination by local governments.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.86 RCW  
18 to read as follows:

1       A city, county, or other governmental body with legislative  
2 authority may not enact any statute or ordinance that has the effect,  
3 directly or indirectly, of discriminating against consumers' choices in  
4 the construction, placement, or use, of a home in such a manner that is  
5 not equally applicable to all homes. Homes built to 42 U.S.C. Sec.  
6 5401 et seq. standards (as amended in 2000) must be regulated in the  
7 manner as site built homes, factory built homes, or homes built to any  
8 other state construction standard. Discrimination based on type of  
9 construction, use, or placement of a manufactured home is a restraint  
10 of trade and a violation of RCW 19.86.030.

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