**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4365**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Barfield

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Introduced in the House on January 19, 2010

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Manufactured housing

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/19/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-19-10.docx)‑3

1/19/2010 House Referred to Committee on **Labor, Commerce and Industry** [HJ](file:///h:\HJ%20Archive\2010\01-19-10.docx)‑3

**VERSIONS OF THIS BILL**

[1/19/2010](file:///p:\pprever\2009-10\4365_20100119.docx)

**A** **BILL**

TO AMEND SECTION 40‑29‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT OF A LICENSE TO SELL MANUFACTURED HOUSING, SO AS TO PROVIDE AN EXCEPTION FOR LICENSED REALTORS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40‑29‑200, AS AMENDED, RELATING TO REQUIREMENTS FOR A MANUFACTURED HOUSING SALES LICENSE, SO AS TO PROVIDE A LICENSE IS NOT REQUIRED FOR A LICENSED REAL ESTATE BROKER SELLING A NEW OR USED MANUFACTURED HOME IN CONJUNCTION WITH THE SALE OF REAL ESTATE WHERE THE HOUSING IS LOCATED OR TO BE LOCATED; AND TO AMEND SECTION 40‑57‑135, AS AMENDED, RELATING TO CERTAIN RIGHTS AND RESPONSIBILITIES OF A LICENSED REALTOR, SO AS TO PROVIDE A LICENSED REALTOR MAY SELL A MANUFACTURED HOME UNDER CERTAIN CIRCUMSTANCES IF HE COMPLETES TRAINING AND EXAMINATION REQUIREMENTS FOR A MANUFACTURED LICENSE, AND TO PROVIDE THIS TRAINING MAY SATISFY HIS CONTINUING EDUCATION REQUIREMENTS.

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

SECTION 1. Section 40‑29‑30(A) of the 1976 Code, as last amended by Act 61 of 2001, is further amended to read:

“(A) No person may engage in the business of selling, wholesale or retail, as a manufactured home retail dealer, manufactured home retail salesman, or manufactured home manufacturer in this State without being licensed by the board, except as provided in Sections 40‑29‑200(C) and 40‑57‑135(H). No manufactured home contractor may install, modify, alter, or repair the structural, mechanical, or electrical systems of a manufactured home without holding a license issued or recognized by the board. No manufactured home installer may install manufactured housing without being licensed by the board. No manufactured home repairer may modify, alter, or repair the structural, mechanical, or electrical systems of a manufactured home without holding a license issued or recognized by the board. The license must authorize the holder to engage in the business permitted by the license. All license applications must be accompanied by the required fee and corporate surety bond or other security in the form as prescribed by the board.”

SECTION 2. Section 40‑29‑200(C) of the 1976 Code, as last amended by Act 175 of 2005, is further amended to read:

“(C) Subject to the requirements of Section 40‑57‑135(H), a manufactured housing license is not required for a licensed real estate salesman or licensed real estate broker who negotiates or attempts to negotiate for any legal entity the listing, sale, purchase, exchange, lease, or other disposition of a new or used manufactured or mobile home in conjunction with the listing, sale, purchase, exchange, lease, or other disposition of real estate upon which the ~~used~~ manufactured or mobile home is located or is to be located.”

SECTION 3. Section 40‑57‑135 of the 1976 Code, as last amended by Act 218 of 2004, is further amended by adding:

“(H) A licensee may not sell a new or used manufactured home in conjunction with the sale of real estate upon which the mobile home is to be located, provided the licensee first shall satisfactorily complete training and examination requirements for a manufactured home retail salesperson provided in Chapter 57 of this title. Successful completion of this training may be applied to satisfy the requirements of continuing education under Section 40‑57‑130.”

SECTION 4. This act takes effect upon approval by the Governor.

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