

HOUSE COMMITTEE OF REFERENCE REPORT

March 1, 2022

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Chair of Committee

\_\_\_\_\_  
Date

Committee on Transportation & Local Government.

After consideration on the merits, the Committee recommends the following:

HB22-1242 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 4, line 7, before "selling" insert  
2 "MANUFACTURING AND".
- 3 Page 5, strike lines 17 and 18 and substitute "a factory or WORK  
4 PERFORMED OFF SITE OR WORK completed at a THE INSTALLATION site,  
5 using".
- 6 Page 7, line 20, strike "the first" and substitute "~~the first~~ A".
- 7 Page 9, strike line 2 and substitute "(1)(e), (1)(f), and (1)(g); and **add**  
8 (1)(h) as follows:".
- 9 Page 9, strike line 11 and substitute "**and**  
10 (g) To enforce requirements concerning the safety of hotels,  
11 motels, and multi-family structures in areas of the state where no  
12 construction standards for hotels, motels, and multi-family structures  
13 exist; AND  
14 (h) TO ENFORCE REQUIREMENTS CONCERNING THE SAFETY OF  
15 FOUNDATION SYSTEMS FOR MANUFACTURED HOMES, TINY HOMES, AND  
16 FACTORY-BUILT STRUCTURES IN AREAS OF THE STATE WHERE NO  
17 CONSTRUCTION STANDARDS FOR MANUFACTURED HOMES, TINY HOMES,  
18 AND FACTORY-BUILT STRUCTURES EXIST.".
- 19 Page 9, line 23, strike "FACTORY-BUILT STRUCTURES" and substitute  
20 "MANUFACTURED HOMES, FACTORY-BUILT STRUCTURES,".
- 21 Page 10, line 24, strike "FOURTEEN" and substitute "FIFTEEN".
- 22 Page 11, line 7, strike "and".

1 Page 11, after line 7 insert:

2 "(X) ONE FROM ENERGY CONSERVATION; and".

3 Page 11, line 8, strike "(X)" and substitute "(XI)".

4 Page 14, strike lines 8 through 10 and substitute "(1)(a.3), (1)(a.7), (4),  
5 and (6) as follows:

6 **24-32-3311. Certification of factory-built structures - rules.**

7 (1) (a.3) Manufacturers of factory-built structures to be installed in the  
8 state ~~must~~ SHALL register with the division as provided in board rules and  
9 are subject to enforcement action, including suspension or revocation of  
10 their registration for failing to comply with requirements contained in this  
11 part 33 and board rules. A MANUFACTURER SHALL:

12 (I) COMPLY WITH ESCROW REQUIREMENTS OF DOWN PAYMENTS AS  
13 ESTABLISHED BY THE BOARD BY RULE; AND

14 (II) PROVIDE A LETTER OF CREDIT, CERTIFICATE OF DEPOSIT ISSUED  
15 BY A LICENSED FINANCIAL INSTITUTION, OR SURETY BOND ISSUED BY AN  
16 AUTHORIZED INSURER IN AN AMOUNT AND PROCESS ESTABLISHED BY THE  
17 BOARD BY RULE. A FINANCIAL INSTITUTION OR AUTHORIZED INSURER  
18 SHALL PAY THE DIVISION THE LETTER OF CREDIT, CERTIFICATE OF DEPOSIT,  
19 OR SURETY BOND IF A COURT OF COMPETENT JURISDICTION HAS RENDERED  
20 A FINAL JUDGMENT IN FAVOR OF THE DIVISION BASED ON A FINDING THAT:

21 (A) THE MANUFACTURER FAILED TO DELIVER THE FACTORY-BUILT  
22 STRUCTURE;

23 (B) THE MANUFACTURER FAILED TO REFUND A DOWN PAYMENT  
24 MADE TOWARD THE PURCHASE OF THE FACTORY-BUILT STRUCTURE; OR

25 (C) THE MANUFACTURER CEASED DOING BUSINESS OPERATIONS OR  
26 FILED FOR BANKRUPTCY.

27 (a.7) (I) The division ~~must~~ SHALL conduct a full design and plan".

28 Page 21, strike lines 17 through 20 and substitute "a manufactured home  
29 ~~built in a factory and components shipped with the manufactured home~~  
30 ~~as reflected in the approved plans for the manufactured home~~ OR OF A  
31 TINY HOME. The certificate of installation must include ~~but not~~".

32 Page 24, line 13, strike "24-32-3329 (2)," and substitute "24-32-3329,".

33 Page 24, line 20, strike "HOMES OR mobile" and substitute "HOMES,  
34 mobile HOMES,".

35 Page 33, after line 6, insert:

1           "(3) IN PROMULGATING RULES UNDER THIS SECTION, THE BOARD  
2 SHALL CONSIDER:  
3           (a) THE IMPORTANCE OF KEEPING TINY HOMES AFFORDABLE;  
4           (b) THE UNIQUE CHARACTERISTICS OF TINY HOMES SUCH AS SIZE  
5 CONSTRAINTS AND CONSTRUCTION ON A CHASSIS SO THAT THEY CAN BE  
6 MOVED FROM SITE TO SITE;  
7           (c) THAT MANY TINY HOMES ARE BUILT BY SHOPS PRODUCING  
8 FEWER THAN TWENTY UNITS PER YEAR;  
9           (d) THAT MANY TINY HOMES ARE CUSTOM-BUILT RATHER THAN  
10 MASS-PRODUCED MODELS, AND  
11           (e) THAT MANY TINY HOMES ARE BUILT BY THEIR OWNERS RATHER  
12 THAN BY COMMERCIAL SHOPS."

13 Page 33, strike lines 8 through 12 and substitute "**connection to utilities**  
14 **- rules.** (1) A STATE ELECTRICAL INSPECTOR OR A LOCAL GOVERNMENT".

15 Page 33, line 16, strike "(b)" and substitute "(2)".

16 Page 33, strike lines 21 and 22 and substitute:

17           "**SECTION 24.** In Colorado Revised Statutes, **amend**  
18 24-32-904.5 as follows:".

19 Page 34, after line 4 insert:

20           "(b) Any new recreational park trailer that is not manufactured in  
21 compliance with the American national standards institute's (ANSI's)  
22 standard A 119.5 for recreational park trailers, OR ANY SUCCESSOR  
23 STANDARD OR AMENDMENT."

24 Page 35, line 14, strike "24-32-3329 (2)." and substitute "24-32-3329".

25 Page 40, after line 3 insert:

26           "**SECTION 34.** In Colorado Revised Statutes, 39-1-102, **amend**  
27 (14.3); and **add** (16.3) as follows:

28           **39-1-102. Definitions.** As used in articles 1 to 13 of this title 39,  
29 unless the context otherwise requires:

30           (14.3) "Residential improvements" means a building, or that  
31 portion of a building, designed for use predominantly as a place of  
32 residency by a person, a family, or families. The term includes buildings,  
33 structures, fixtures, fences, amenities, and water rights that are an integral  
34 part of the residential use. The term also includes a manufactured home,

1 ~~as defined in subsection (7.8) of this section, a mobile home, as defined~~  
2 ~~in subsection (8) of this section, and a modular home, as defined in~~  
3 ~~subsection (8.3) of this section~~ AND A TINY HOME.

4 (16.3) "TINY HOME" MEANS A TINY HOME, AS DEFINED IN SECTION  
5 24-32-3302 (35), THAT IS CERTIFIED BY THE DIVISION OF HOUSING IN THE  
6 DEPARTMENT OF LOCAL AFFAIRS TO BE DESIGNED FOR LONG-TERM  
7 RESIDENCY AND THAT IS NOT REGISTERED IN ACCORDANCE WITH ARTICLE  
8 3 OF TITLE 42."

9 Renumber succeeding sections accordingly.

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