

SENATE BILL NO. 952

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

3747S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 700.090 and 700.095, RSMo, and to enact in lieu thereof two new sections relating to manufactured housing.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 700.090 and 700.095, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 700.090 and 700.095, to read as follows:

700.090. 1. Every manufacturer or dealer who sells or
2 offers for sale, on consignment or otherwise, a manufactured
3 home or modular unit from or in the state of Missouri shall
4 register with the commission each place of business at which
5 the manufacturer or dealer sells or offers for sale a
6 manufactured home or modular unit.

7 2. The commission shall issue a certificate of
8 registration to a manufacturer who:

9 (1) Completes and files with the commission an
10 application for registration which contains the following
11 information:

12 (a) The name of the manufacturer;

13 (b) The address of the manufacturer and addresses of
14 each factory owned or operated by the manufacturer, if
15 different from the address of the manufacturer;

16 (c) If a corporation, the state of original
17 incorporation, a list of the names and addresses of all
18 officers and directors of the corporation, and proof of the

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 filing of all franchise and sales tax forms required by
20 Missouri law;

21 (d) If not a corporation, the name and address of the
22 managing person or persons responsible for overall operation
23 of the manufacturer;

24 (2) Files with the commission an initial registration
25 fee [of seven hundred fifty dollars] in the form of a
26 cashier's check or money order made payable to the state of
27 Missouri **in an amount established by the commission not to**
28 **exceed the costs of administration, inspection, and other**
29 **expenses necessary for the administration of sections**
30 **700.010 to 700.115.**

31 3. The commission shall issue a certificate of
32 registration to a dealer who:

33 (1) Completes and files with the commission an
34 application for registration which contains the following
35 information:

36 (a) The name of the dealer;

37 (b) The business address of the dealer and addresses
38 of each separate facility owned and operated by the dealer
39 from which manufactured homes or modular units are offered
40 for sale if different from the business address of the
41 dealer;

42 (c) If a corporation, the state of original
43 incorporation, a list of the names and addresses of all
44 officers and directors of the corporation, proof of the
45 filing of all franchise and sales tax forms required by
46 Missouri law;

47 (d) If not a corporation, the name and address of the
48 managing person or persons responsible for the overall
49 operations of the manufacturer;

50 (2) Files with the commission an initial registration
51 fee [of two hundred dollars] in the form of a cashier's
52 check or money order made payable to the state of Missouri
53 **in an amount established by the commission not to exceed the**
54 **costs of administration, inspection, and other expenses**
55 **necessary for the administration of sections 700.010 to**
56 **700.115;**

57 (3) Files with the commission proof of compliance with
58 the provisions of section 301.280.

59 4. The registration of any manufacturer or dealer
60 shall be effective for a period of one year and shall be
61 renewed by the commission upon receipt by it from the
62 registered dealer **or manufacturer** of a renewal fee [of seven
63 hundred fifty dollars for manufacturers and two hundred
64 dollars for dealers] **in an amount established by the**
65 **commission not to exceed the costs of administration,**
66 **inspection, and other expenses necessary for the**
67 **administration of sections 700.010 to 700.115** and a form
68 provided by the commission upon which shall be placed any
69 changes from the information requested on the initial
70 registration form.

71 5. The commission may stagger the renewal of
72 certificates of registration to provide for more equal
73 distribution over the twelve months of the number of
74 registration renewals.

700.095. 1. Every dealer shall, on or before January
2 fifteenth of each year, make application for registration or
3 renewal and shall be required to maintain a bona fide
4 established place of business and maintain a permanent
5 enclosed building or structure, either owned in fee or
6 leased and actually occupied as a place of business by the
7 applicant for the selling, bartering, trading, or exchanging

8 of manufactured homes or modular units where the public may
9 contact the owner or operator at any reasonable time and
10 where the books, records, files, and other matter required
11 and necessary to conduct the business shall be kept and
12 maintained.

13 2. The application shall contain the business address,
14 not a post office box address, and telephone number of the
15 place where the books, records, files, and other matters
16 required and necessary to conduct the business are located
17 and where the same may be inspected during normal daytime
18 business hours.

19 3. Each application shall contain such additional
20 information as may be required by the commission to enable
21 it to determine whether the applicant is a bona fide dealer
22 in fact and is of good moral character.

23 4. Upon the payment of a registration or renewal fee
24 [of two hundred dollars], there shall be assigned to each
25 dealer a certificate of registration in such form as the
26 commission shall prescribe.

✓