

**CHAPTER 100**  
**FACTORY-BUILT STRUCTURES — MANUFACTURED**  
**HOME INSTALLER CERTIFICATION**

S.F. 185

**AN ACT** relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes, and providing a fee, an appropriation, and a civil penalty.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 103A.3, subsection 8, Code 2001, is amended to read as follows:

8. “Factory-built structure” means any structure which is, wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation, on a building site. “Factory-built structure” includes the ~~term~~ terms “mobile home” ~~as defined in section 435.1~~, “manufactured home”, and “modular home”.

Sec. 2. Section 103A.3, Code 2001, is amended by adding the following new subsection: NEW SUBSECTION. 15A. “Manufactured home”, “mobile home”, and “modular home” mean the same as defined in section 435.1.

Sec. 3. Section 103A.9, subsection 4, Code 2001, is amended to read as follows:

4. All factory-built structures, without regard to manufacture date, shall be installed in accordance with the code in the governmental subdivisions which have adopted the state building code or any other building code. However, a governmental subdivision shall not require that a factory-built structure, that was manufactured in accordance with federally mandated standards, be renovated in accordance with the state building code or any other building code which the governmental subdivision has adopted when the factory-built structure is being moved from one lawful location ~~within the state~~ to another unless such required renovation is in conformity with those specifications for the factory-built structure which existed when it was manufactured or the factory-built structure is being rented for occupancy.

Existing factory-built structures not constructed to be in compliance with federally mandated standards may be moved from one established mobile home park to another ~~within the state~~ and shall not be required to be renovated to comply with the state building code or any other building code which the governmental subdivision has adopted unless the factory-built structure is being rented for occupancy or has been declared a public nuisance according to standards generally applied to housing.

Sec. 4. NEW SECTION. 103A.26 MANUFACTURED HOME INSTALLERS CERTIFICATION — VIOLATION — CIVIL PENALTY.

1. a. A person who installs a manufactured home for another person shall be certified in accordance with rules adopted by the commissioner pursuant to chapter 17A. The commissioner may assess a fee sufficient to recover the costs of administering the certification of manufactured home installers. The commissioner may suspend or revoke the certification of a manufactured home installer for failure to perform installation of a manufactured home, pursuant to certification standards as provided by rules of the commissioner.

b. Notwithstanding section 103A.23, all fees collected by the commissioner for the administration of the manufactured home program shall be credited to the general fund of the state and are appropriated to the commissioner for the purpose of administering this certification program including the employment of personnel for the enforcement and administration of this program.

2. If a provision of this chapter or a rule adopted pursuant to this chapter relating to the manufacture or installation of a manufactured home is violated, the commissioner may

assess a civil penalty not to exceed one thousand dollars for each offense. Each violation involving a separate manufactured home, or a separate failure or refusal to allow an act to be performed or to perform an act as required by this chapter, or a rule adopted pursuant to this chapter constitutes a separate offense. However, the maximum amount of civil penalties which may be assessed for any series of violations occurring within one year from the date of the first violation shall not exceed one million dollars.<sup>1</sup>

Approved May 2, 2001

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## CHAPTER 101

### CONTROL OF INFECTIOUS OR CONTAGIOUS DISEASES IN CATTLE AND OTHER ANIMALS — PARATUBERCULOSIS

S.F. 209

**AN ACT** providing for livestock, including the control of paratuberculosis, and providing for penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. NEW SECTION. 165A.1 DEFINITIONS.

1. "Concentration point" means a location or facility where cattle are assembled for purposes of sale or resale for feeding, breeding, or slaughtering, and where contact may occur between groups of cattle from various sources. "Concentration point" includes a public stockyard, auction market, street market, state or federal market, untested consignment sales location, buying station, or a livestock dealer's yard, truck, or facility.

2. "Department" means the department of agriculture and land stewardship.

3. "Infected" means infected with paratuberculosis as provided in section 165A.3.

4. "Paratuberculosis" means a disease caused by the bacterium mycobacterium paratuberculosis, and which is also referred to as Johne's disease.

5. "Separate and apart" means to hold cattle so that neither the cattle nor organic material originating from the cattle has physical contact with other animals.

6. "Slaughtering establishment" means a slaughtering establishment operated under the provision of the federal Meat Inspection Act, 21 U.S.C. § 601 et seq., or a slaughtering establishment that has been inspected by the state.

Sec. 2. NEW SECTION. 165A.2 ADMINISTRATION AND ENFORCEMENT.

The provisions of this chapter, including departmental rules adopted pursuant to this chapter, shall be administered and enforced by the department. The department may assess and collect civil penalties against persons in violation of this chapter as provided in section 165A.5. The attorney general may assist the department in the enforcement of this chapter.

Sec. 3. NEW SECTION. 165A.3 DETERMINATION OF INFECTION.

The department shall adopt rules providing methods and procedures to determine whether cattle are infected, which may include detection and analysis of paratuberculosis using techniques approved by the United States department of agriculture.

Sec. 4. NEW SECTION. 165A.4 INFECTED CATTLE.

The owner of infected cattle shall mark the cattle by punching the letter "C" through the right ears of the cattle as required by the department. A person shall not sell infected cattle other than directly to a slaughtering establishment or to a concentration point for sale

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<sup>1</sup> See chapter 176, §61, 82 herein