

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1123 Session of
2009

INTRODUCED BY GERGELY, BELFANTI, BRENNAN, CONKLIN, DEASY, HELM,
JOSEPHS, KORTZ, SIPTROTH, VULAKOVICH, KULA, MAHONEY AND
HARKINS, MARCH 26, 2009

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 26, 2009

AN ACT

1 Amending the act of May 11, 1972 (P.L.286, No.70), entitled "An
2 act regulating the sale of certain structures made,
3 fabricated, formed or assembled in manufacturing facilities
4 and providing penalties," further providing for definitions
5 and for regulations, insignia of certification required.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3(2) of the act of May 11, 1972 (P.L.286,
9 No.70), known as the Industrialized Housing Act, is amended and
10 the section is amended by adding a paragraph to read:

11 Section 3. Definitions.--As used in this act:

12 * * *

13 (2) "Department" means the Department of Community [Affairs]
14 and Economic Development of the Commonwealth of Pennsylvania.

15 * * *

16 (4.1) "Industrialized/commercial modular building" means a
17 structure designed for commercial occupancy, and classified
18 within nonresidential use groups in accordance with the
19 standards adopted under 12 Pa. Code § 145.41 (relating to

1 adoption of standards) and which is wholly or in substantial
2 part made, constructed, fabricated, formed or assembled in
3 manufacturing facilities for installation or assembly and
4 installation on the building site so that concealed parts or
5 processes of manufacture cannot be inspected at the site without
6 disassembly, damage or destruction. The term does not include
7 industrialized housing as defined in 12 Pa. Code § 145.1
8 (relating to definitions) or manufactured home, as defined in
9 section 5402(6) of the National Manufactured Housing
10 Construction and Safety Standards Act of 1974 (Public Law 93-383
11 42 U.S.C. § 5401 et seq.).

12 * * *

13 Section 2. Section 4 of the act is amended by adding a
14 subsection to read:

15 Section 4. Regulations, Insignia of Certification
16 Required.--* * *

17 (j) The department is authorized to enter into a multistate
18 agreement for the purpose of regulating the construction of
19 components of industrialized/commercial modular buildings. The
20 department shall adopt regulations to administer the program
21 that are based on the Model Rules and Regulations promulgated by
22 the Interstate Industrialized Buildings Commission. Components
23 of industrialized/commercial modular buildings that are
24 certified under the program established pursuant to this
25 subsection shall be deemed to meet the requirements of the act
26 of November 10, 1999 (P.L.491, No.45), known as the
27 "Pennsylvania Construction Code Act."

28 Section 3. This act shall take effect July 1, 2010, or
29 immediately, whichever is later.