

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2628 Session of  
2012

INTRODUCED BY AUMENT AND MILLER, SEPTEMBER 21, 2012

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
OCTOBER 1, 2012

## 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 findings and  
5 declarations of policy, for regulations, insignia of  
6 certification required, for promulgation of rules and  
7 regulations by the department and for recognition of  
8 certification of other states or the Federal Government.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

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

14 Section 2. Findings and Declarations of Policy.--It is  
15 hereby determined and declared as a matter of legislative  
16 finding that:

17 \* \* \*

18 (8) To facilitate the construction and installation of  
19 industrialized/commercial modular buildings and  
20 industrialized/commercial building modules for use in this  
21 Commonwealth there is a need for uniform State standards and

1 procedures for the identification, inspection and assembly and  
2 certification in a similar manner as industrialized housing.

3 Section 2. Section 4(j) of the act, added July 6, 2009  
4 (P.L.56, No.13), is amended to read:

5 Section 4. Regulations, Insignia of Certification  
6 Required.--\* \* \*

7 (j) The department [is authorized to enter into a multistate  
8 agreement for the purpose of regulating] shall adopt regulations  
9 to administer a certification program as described in this  
10 section to regulate the construction, installation standards and  
11 inspection of industrialized/commercial modular buildings  
12 shipped from the factory and industrialized/commercial building  
13 modules shipped from the factory. [The department shall adopt  
14 regulations to administer the program.] Modules of  
15 industrialized/commercial modular buildings that are certified  
16 under the program established pursuant to this subsection shall  
17 be deemed to meet the requirements of the act of November 10,  
18 1999 (P.L.491, No.45), known as the "Pennsylvania Construction  
19 Code Act."

20 Section 3. Sections 5(a) and 6 of the act are amended to  
21 read:

22 Section 5. Promulgation of Rules and Regulations by the  
23 Department.--(a) The department, in consultation with the  
24 Industrialized Housing Advisory Commission shall promulgate  
25 rules and regulations to interpret and make specific the  
26 provisions of this act. Such rules and regulations adopted,  
27 amended, repealed and substituted from time to time pursuant to  
28 this section shall assure the health, safety and welfare of the  
29 people of Pennsylvania by requiring safe and sanitary industrial  
30 housing and industrialized/commercial modular buildings and

1 industrialized/commercial building modules and shall include  
2 provisions imposing requirements reasonably consistent with  
3 recognized and accepted model codes. The department shall adopt  
4 such other rules and regulations as are necessary to carry out  
5 the provisions of this act. Such rules and regulations shall be  
6 consistent with the act of June 4, 1945 (P.L.1388), known as the  
7 "Administrative Agency Law." No portion of this act or any code,  
8 or rules and regulations adopted, amended, repealed or  
9 substituted as provided herein, which limits the work to be  
10 performed to any type of construction contractor, or labor or  
11 mechanic classification shall be adopted or enforceable by the  
12 department.

13 \* \* \*

14 Section 6. Recognition of Certification of Other States or  
15 the Federal Government.--The department may issue insignia of  
16 certification to industrialized housing [or], housing  
17 components, industrialized/commercial modular buildings and  
18 industrialized/commercial building modules that have been  
19 certified by the United States Department of Housing and Urban  
20 Development or competent authority within other states if the  
21 department finds that such certification is granted on the basis  
22 of standards substantially equivalent to the provisions  
23 promulgated under section 5 of this act.

24 Section 4. This act shall take effect ~~in 60 days~~ ←  
25 IMMEDIATELY. ←