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December 31, 2003

INFORMATION BULLETIN 2003-11 (OL)

**TO: Manufactured Home, Multi-Unit Manufactured Housing, and Commercial
 Modular Manufacturers and Dealers
 Continuing Education Course Providers and Instructors
 Occupational Licensing Interested Parties
 Division Staff**

SUBJECT: 2003 LEGISLATIVE CHANGES

This Information Bulletin summarizes the legislative changes to the Mobilehomes-Manufactured Housing Act of 1980 (California Health and Safety Code, Division 13, Part 2 commencing with Section 18000) and the California Penal Code, Part 1, Title 8, Chapter 9, sections 241 and 243 brought about by the 2003 Legislative Session. All changes become effective January 1, 2004.

- **Chapter 593, Statutes of 2003 (Senate Bill No. 305, Ducheny) amends Section 18021.7 of the Health and Safety Code (HSC), and other provisions of the HSC and Government Code.**
 - In HSC 18021.7, the amendment corrected an error by removing the reference to HSC Section "18062(e)" and including the correct HSC Section "18062.2(e)" making a licensee subject to citation and civil penalty for improperly advertising the total price of a manufactured home, mobilehome or commercial modular or charging excessive dealer documentary preparation charges.

- **Chapter 814, Statutes of 2003 (Senate Bill No. 306, Ducheny) amends Sections 18013.4 and 18045.5 of the Health and Safety Code (HSC), and other provisions of the Health and Safety Code.**
 - In HSC 18013.4, the amendment changed the reference definition for "truck camper" from Civil Code Section 799.24 to HSC Section 18012.4.

- In HSC 18045.5, the amendment added that when records are kept at a location other than the principal dealer business location, then that location also shall be open for inspection of the premises and pertinent records during normal business hours by the licensing agency.

➤ **Chapter 274, Statutes of 2003 (Senate Bill 919, Ortiz) amends Sections 241 and 243 of the Penal Code relating to code enforcement officers.**

- In Penal Code Sections 241 and 243, the amendment adds “code enforcement officer” to the list of specific positions (peace officers, fire fighters, etc.) that punishment provisions of assault and battery apply.

Additionally, added to this section is the definition for “Code enforcement officer” to mean any person who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county, or municipal corporation, whether incorporated or chartered, who has enforcement authority for health, safety, and welfare requirements, and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

Code enforcement officer also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act, Manufactured Housing Act, Mobilehome Parks Act, or the Special Occupancy Parks Act.

This summary of legislative changes is not represented to be a complete digest of all new laws affecting persons and businesses regulated by the Mobilehome-Manufactured Housing Act of 1980 or other provisions of law enacted by this legislation. The complete text of each law can be reviewed through the Official California Legislative Information website using the internet address: www.leginfo.ca.gov.

Questions regarding this Information Bulletin may be directed to our Occupational Licensing Program staff at (916) 323-9803 or by contacting the Department via our web comment at <http://www.hcd.ca.gov/comments/>.

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