Senate Bill 445

By: Senators Burns of the 23rd, Payne of the 54th, Hickman of the 4th, Gooch of the 51st, Mullis of the 53rd and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 8-2-143 of the Official Code of Georgia Annotated, relating to civil
2 and criminal penalty for violation of Section 610 of National Manufactured Housing
3 Construction and Safety Standards Act of 1974 and regulations and final orders issued
4 thereunder, so as to revise civil penalties; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6   BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7   **SECTION 1.**

8 Code Section 8-2-143 of the Official Code of Georgia Annotated, relating to civil and
9 criminal penalty for violation of Section 610 of National Manufactured Housing
10 Construction and Safety Standards Act of 1974 and regulations and final orders issued
11 thereunder, is amended by revising subsection (a) as follows:

12   ″(a) **Civil penalties**. Any person in this state who violates any provision of Section 610
13   of the National Manufactured Housing Construction and Safety Standards Act
14   of 1974, 42 U.S.C. Section 5401, et seq., or any regulation or final order issued
15   thereunder, shall be liable to the State of Georgia for a civil penalty not to
16   exceed $1,000.00 the maximum civil penalty set forth in 24 C.F.R. Section 3282.10 for

17   each such violation. Each violation of ~~Section 610 of the aforementioned act~~ 42 U.S.C.

18   Section 5401, et seq., or of any regulation or order issued thereunder shall constitute a

19   separate violation with respect to each manufactured home or with respect to each failure

20   or refusal to allow or perform an act required thereby, except that the maximum civil

21   penalty may not exceed ~~$1 million~~ the maximum civil penalty set forth in 24 C.F.R.

22   Section 3282.10 for any related series of violations occurring within one year from the

23   date of the first violation."

24   **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.