

Fifty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1345**

Introduced by

Representatives Carlson, Delmore, Maragos

Senators Dever, J. Lee, Wardner

1 A BILL for an Act to create and enact a new subsection to section 54-21.3-03 of the North  
2 Dakota Century Code, relating to the state building code; and to amend and reenact section  
3 54-21.3-07 of the North Dakota Century Code, relating to modular residential and commercial  
4 structures.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new subsection to section 54-21.3-03 of the North Dakota Century  
7 Code is created and enacted as follows:

8 A modular residential structure or a prebuilt home placed in the state must be  
9 constructed in compliance with the state building code. A modular residential  
10 structure or a prebuilt home placed in a jurisdiction that has amended the state  
11 building code must be constructed in compliance with the state building code and  
12 the amendments adopted by that jurisdiction.

13 **SECTION 2. AMENDMENT.** Section 54-21.3-07 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **54-21.3-07. Modular residential and commercial structures - Third-party**  
16 **inspections - Rules.** The manufacturer of a modular residential or commercial structure that is  
17 built in a factory ~~may~~ shall contract with a third party for the inspection of the structure for  
18 compliance with all applicable building, electrical, fire, and plumbing codes and standards  
19 during the manufacturing process in the factory. A third party that conducts inspections and  
20 certifies compliance with all applicable codes and standards must be approved as a certified  
21 third-party inspector by the division of community services. The department of commerce shall  
22 adopt rules for the certification of inspectors and for the procedures to be followed in  
23 conducting inspections of modular residential and commercial structures. ~~If~~ When a  
24 manufacturer of modular residential or commercial structures contracts with a certified

- 1 third-party inspector to monitor compliance with all applicable building, electrical, fire, and
- 2 plumbing codes and standards for a modular residential or commercial structure, no further
- 3 inspection by state or local building, electrical, fire, or plumbing inspectors may be required for
- 4 that structure during the manufacturing process in the factory. This section does not apply to a
- 5 factory manufacturing fewer than six residential or commercial structures per year.