

February 3, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1219

Page 1, line 2, replace "subsection" with "subsections"

Page 1, line 2, after "1" insert ", 7, and 8"

Page 1, line 8, after the period insert "The department shall maintain a website an interested person may use to supply a vehicle identification number in order to confirm the status of a manufactured home as real estate under subsection 6 of section 47-10-27 and to confirm the department retired the manufacturer's certificate of origin or certificate of title."

Page 2, after line 5, insert:

"SECTION 4. AMENDMENT. Subsection 7 of section 47-10-27 of the North Dakota Century Code is amended and reenacted as follows:

7. Upon the satisfaction of the requirements of subsection 6, the manufactured home is deemed to be real property; any mortgage, deed of trust, lien, or security interest ~~which that~~ can attach to land, buildings erected ~~thereon on the land~~, or fixtures affixed ~~thereto to the land~~ attach as of the date of its recording in the same manner as if the manufactured home were built from ordinary building materials onsite. Title to the manufactured home must be transferred by deed or other form of conveyance that is effective to transfer an interest in real property, together with the land to which the structure has been affixed. The manufactured home is deemed to be real property and is governed by the laws applicable to real property and the department of transportation has no further authority or jurisdiction over the conveyance or encumbrance of the manufactured home.

SECTION 5. AMENDMENT. Subsection 8 of section 47-10-27 of the North Dakota Century Code is amended and reenacted as follows:

8. Except as provided in subsections ~~2, 3, 5, 6, and 7~~, an affidavit of affixation is not necessary or effective to convey or encumber a manufactured home or to change the character of the manufactured home to real property. ~~A conveyance of land upon which is located a manufactured home for which an affidavit of affixation has been recorded does not effect a conveyance or encumbrance of any interest in the manufactured home. A conveyance or encumbrance may only be made under the provisions of chapter 39-05. An agreement by a party to the transaction whereby by which the requirements of this subsection are waived is void as contrary to public policy.~~

Renumber accordingly