

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1219

Introduced by

Representatives D. Ruby, Kasper, Nathe, Toman

Senators Campbell, Klein

1 A BILL for an Act to amend and reenact subsection 9 of section 39-05-22, section 47-01-03, and
2 subsection 1 of section 47-10-27 of the North Dakota Century Code, relating to the process for
3 converting manufactured housing to real property.

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

5 **SECTION 1. AMENDMENT.** Subsection 9 of section 39-05-22 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 9. ~~Such file~~Records of surrendered certificates of title and the records referred to in
8 subsections 6, 7, and 8 must be maintained permanently ~~maintained~~.

9 **SECTION 2. AMENDMENT.** Section 47-01-03 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **47-01-03. Real property defined.**

12 Real or immovable property ~~shall consist~~consists of:

- 13 1. Land;
- 14 2. That which is affixed to land, including manufactured homes as defined in section
15 41-09-02 with respect to which the requirements of ~~subsections 1 through~~
16 ~~3~~subsection 6 of section ~~39-05-35, as applicable, 47-10-27~~ have been satisfied;
- 17 3. That which is incidental or appurtenant to land; and
- 18 4. That which is immovable by law.

19 **SECTION 3. AMENDMENT.** Subsection 1 of section 47-10-27 of the North Dakota Century
20 Code is amended and reenacted as follows:

- 21 1. For purposes of this section, "manufactured home" means a manufactured home as
22 defined in section 41-09-02. Notwithstanding this definition, for purposes of 11 U.S.C.
23 1322(b)(2), a manufactured home is deemed real property. For purposes of this
24 section, a manufactured home is permanently affixed if the manufactured home is

- 1 anchored~~affixed~~ to real property by attachment to a permanent foundation;
- 2 constructed in accordance with applicable state and local building codes and
- 3 manufacturer's specifications as provided in title 24, Code of Federal Regulations,
- 4 ~~part 3285~~; and connected to residential utilities, such as water, gas, electricity, or
- 5 sewer or septic service.