

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 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

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1            anchored~~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.