

House Engrossed

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

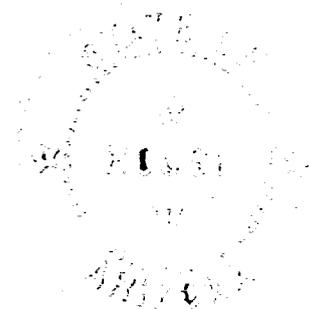
CHAPTER 35

# HOUSE BILL 2373

AN ACT

AMENDING SECTION 41-2178, ARIZONA REVISED STATUTES; RELATING TO THE  
DEPARTMENT OF BUILDING AND FIRE SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-2178, Arizona Revised Statutes, is amended to  
3 read:

4 41-2178. Exemptions

5 A. Any person engaged in installing manufactured homes, mobile homes  
6 or accessory structures and licensed in an appropriate category by the  
7 registrar of contractors pursuant to title 32, chapter 10, article 2 is  
8 exempt only from the licensing requirements of this article.

9 B. The requirements of this chapter applicable to dealers and brokers  
10 do not apply to persons performing the following transactions:

11 1. Real estate brokers and real estate salesmen licensed under section  
12 32-2122 who engage in activities proscribed by this chapter with respect to  
13 used manufactured homes, mobile homes, factory-built buildings or  
14 subassemblies if ~~the activity is incidental to the transfer of an interest~~  
15 ~~in real property~~ and the manufactured home, mobile home, factory-built  
16 building or subassembly IS LISTED IN A CONTRACT FOR TRANSFER OF AN INTEREST  
17 IN REAL PROPERTY EXECUTED BY ITS OWNER AND is installed on the real property.

18 2. Receivers, trustees, administrators, executors, guardians or other  
19 persons appointed by or acting under the judgment of any court.

20 3. Public officers while performing their official duties.

21 4. Banks and other financial institutions, and their subsidiaries, and  
22 other corporations qualified to do business in this state, if they are  
23 proceeding as repossessors or liquidators, but only to the extent that they  
24 finance the sales transaction by which the repossessed property is liquidated  
25 or are a holder in due course with respect to the transaction.

26 5. A purchaser who sells no more than two factory-built buildings,  
27 subassemblies, manufactured homes or mobile homes in any twelve month period.

28 C. FOR THE PURPOSES OF THIS SECTION, A MANUFACTURED HOME, MOBILE HOME,  
29 FACTORY-BUILT BUILDING OR SUBASSEMBLY IS USED IF IT HAS BEEN OCCUPIED FOR AT  
30 LEAST THIRTY CONSECUTIVE DAYS FOR ITS INTENDED USE OR FUNCTION BY A BONA FIDE  
31 HOMEOWNER, RENTER OR OTHER END USER.

APPROVED BY THE GOVERNOR APRIL 1, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 1, 2004.



Passed the House March 3, 2004

Passed the Senate March 29, 2004

by the following vote: 60 Ayes,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

0 Nays, 0 Not Voting

Jake Flake  
Speaker of the House

Ken Bennett  
President of the Senate

Norman L. Fyore  
Chief Clerk of the House

Charmine B. Bunting  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29th day of March, 2004

at 3:26 o'clock P. M.

Jennifer Upbarra  
Secretary to the Governor

Approved this 1 day of

Apr. 1, 2004

at 11:05 o'clock A. M.

J. Elgin  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1 day of April, 2004

at 12:36 o'clock P. M.

Janice K. Brewer  
Secretary of State