

SECOND REGULAR SESSION

HOUSE BILL NO. 1647

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LADD BAKER, PORTWOOD, HARLAN, HILGEMANN,
BRAY, CAMPBELL, BOUCHER, WILLIAMS, HARDING (Co-sponsors), VAN ZANDT, TOWNLEY,
LOWE, CARNAHAN, SCHEVE, REID AND FRASER.

Read 1st time January 24, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4050L.01I

AN ACT

To repeal section 215.010, RSMo, and to enact in lieu thereof two new sections relating to universal designed homes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 215.010, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 215.010 and 215.265, to read as follows:

215.010. As used in sections 215.010 to [215.250] **215.265** unless the context otherwise requires, **the following terms mean:**

(1) "Approved mortgagor" [shall mean]:

(a) Any limited-dividend corporation, nonprofit corporation, public housing corporation, public agency, or any combination thereof, formed in accordance with the provisions of this chapter and approved by the commission;

(b) Low and moderate income persons and families purchasing single family dwellings under criteria set out by the commission;

(c) Persons or families obtaining weatherization loans under criteria set out by the commission; or

(d) Individuals, partnerships or corporations with respect to loans made by the commission for the acquisition, construction or rehabilitation of residential housing which meet criteria established by the commission;

(2) "Commission" [means], the state housing development commission created by sections 215.010 to 215.250;

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 (3) "Commitment in principle", a commitment made prior to submission of a final
17 application. Such type of commitment shall not have a priority position over other
18 commitments;

19 (4) "Development costs" [means], the costs approved by the commission as appropriate
20 expenditures which may be incurred by sponsors of residential housing, within this state, and
21 may include but not be limited to:

22 (a) Payments for options to purchase properties on the proposed residential housing site,
23 deposits on contracts of purchase, or, with prior approval of the commission, payments for the
24 purchase of such properties;

25 (b) Legal and organizational expenses, including payments of attorneys' fees, project
26 manager and clerical staff salaries, office rent and other incidental expenses;

27 (c) Payment of fees for preliminary feasibility studies, advances for consultant, planning,
28 engineering and architectural work;

29 (d) Expenses for surveys as to need and market analyses;

30 (e) Necessary application and other fees to federal, state and local government agencies;

31 (f) Such other expenses incurred by the approved mortgagor as the commission may
32 deem appropriate to effectuate the purposes of sections 215.010 to 215.250;

33 (5) "Land development" [means], the process of acquiring land for residential housing
34 construction, and of making, installing, or constructing nonresidential housing improvements,
35 including waterlines and water supply installations, sewerlines and sewage disposal installations,
36 steam, gas, and electric lines and installations, telephone and other communications lines and
37 installations, roads, streets, curbs, gutters, sidewalks, whether on or off the site, which the
38 commission deems necessary or desirable to prepare such land for residential housing
39 construction within this state;

40 (6) "Limited-dividend corporation" [means], a corporation limited as to its dividends and
41 earnings and organized pursuant to the laws of Missouri;

42 (7) "Low income or moderate income persons and families" [means], persons or families
43 who are in low or moderate income groups and who cannot afford to pay enough to cause private
44 enterprise in their community to build a sufficient supply of adequate, safe and sanitary
45 residential housing;

46 (8) Wherever the word "mortgage" appears in sections 215.010 to 215.250 it shall be
47 deemed to include deed of trust;

48 (9) "Nonprofit corporation" [means], a pro forma decree corporation, or a nonprofit
49 corporation incorporated pursuant to the provisions of the general not-for-profit corporation law
50 of Missouri;

51 (10) "Project cost" [means], the sum total of all reasonable or necessary costs incurred

52 by an approved mortgagor for carrying out all works and undertakings for the completion of a
53 development and approved by the commission. These shall include but shall not necessarily be
54 limited to all of the following costs: Studies and surveys; plans, specifications, architectural and
55 engineering services; legal, organizational, marketing consultant or other special services;
56 financing, land or building acquisition, demolition, construction, equipment and site
57 development of new and rehabilitated buildings; movement of existing buildings to other sites;
58 rehabilitation, reconstruction, repair or remodeling of existing buildings; carrying charges during
59 construction; the cost of placement of tenants or occupants and relocation services in connection
60 with a development; and, to the extent not already included herein, all development costs;

61 (11) "Residential housing" or "development" [means], a specific facility, work or
62 improvement within this state, undertaken primarily to provide dwelling accommodations for
63 low income or moderate income persons, including the acquisition, construction or rehabilitation
64 of land, buildings and improvements thereto, and including such social, medical, recreational,
65 educational, nursing, commercial, communal, dining, training, rehabilitation, therapeutic or other
66 nonhousing facilities and services as may be incidental or appurtenant thereto, or as the
67 commission may deem appropriate to effectuate the purposes of sections 215.010 to 215.250 for
68 the low income and moderate income persons intended hereby to be assisted;

69 (12) **"Universal designed home", a residential dwelling containing no-step building**
70 **entry, located on an accessible route from parking area (compliant with ANSI A117.1-**
71 **1998-1002.3 and 1002.4) with 36" entry door (compliant with ANSI 117.1-1998-404),**
72 **kitchen (compliant with ANSI A117.1-1998-1002.12), bathroom (compliant with ANSI**
73 **A117.1-1998-1002.11), and laundry (compliant with ANSI A117.1-1998-1002.10) shall also**
74 **be accessible route (compliant with ANSI A117.1-1998-1002.2 and 1002.4) with 36" entry**
75 **door (compliant with ANSI A117.1-1998-404). All interior door hardware shall be lever**
76 **hardware (compliant with ANSI A117.1-1998-404.2.7);**

77 (13) "Weatherization" [means], the retrofitting which is identified by an energy audit and
78 meets standards as established by the Missouri housing development commission in consultation
79 with the department of natural resources for single or multifamily dwelling and includes one or
80 more of the following:

- 81 (a) Insulation of walls, ceiling, floors, pipes or water heaters;
- 82 (b) Storm or insulated doors and windows;
- 83 (c) Caulking and weatherstripping;
- 84 (d) Higher efficiency replacement space heating, water heating, air conditioning and
85 ventilation systems;
- 86 (e) Installation of solar collectors for heating, cooling and hot water, including associated
87 piping, ductwork, pumps and on-site preparations costs; and

88 (f) Any other conservation measure or renewable resource system which the commission
89 determines to be eligible as long as such measures or systems are in strict conformance with the
90 purposes of this section.

215.265. All new home construction that utilizes funds pursuant to chapter 215
2 **shall comply with the requirements of a universal designed home, as defined in section**
3 **215.010.**