

Mississippi Secretary of State
 125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Insurance Department		CONTACT PERSON Mark Lampton, Spec. Asst. Att. Gen.	TELEPHONE NUMBER (601)359-2780	
ADDRESS P.O. Box 79		CITY Jackson	STATE MS	ZIP 39205
EMAIL mark.lampton@mid.ms.gov	SUBMIT DATE 07/15/16	Name or number of rule(s): Miss. Admin. Code, Title 19, Part 7, Chapters 4 and 5 (Regulations relating to the Factory-Built Homes Law)		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The existing rules are being modernized and clarified.

Specific legal authority authorizing the promulgation of rule: Miss. Code §§ 75-49-5; 75-49-1 et seq. (Supp. 2013).

List all rules repealed, amended, or suspended by the proposed rule: Miss. Admin. Code, Title 19, Part 7, Chapters 4 and 5.

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

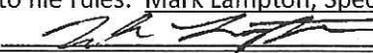
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

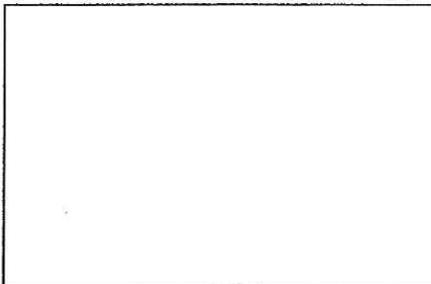
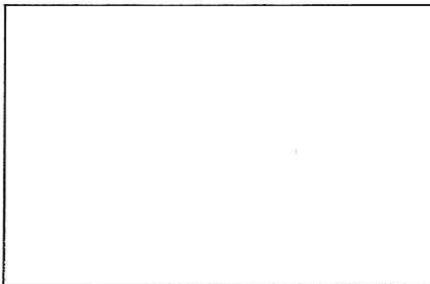
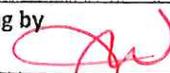
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): <u>October 1, 2016</u>	Date Proposed Rule Filed: _____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Mark Lampton, Spec. Asst. Att. Gen.

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by _____	Accepted for filing by <u>#22088</u> 	Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Mississippi Insurance Department	CONTACT PERSON Mark Lampton, Spec. Asst. Att. Gen.	TELEPHONE NUMBER (601)359-2780
ADDRESS P.O. Box 79	CITY Jackson	STATE MS
EMAIL mark.lampton@mid.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Miss. Admin. Code, Title 19, Part 7, Chapters 4 and 5 (Regulations relating to the Factory-Built Homes Law)	
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code §§ 75-49-5; 75-49-1 et seq.	Reference to Rules repealed, amended or suspended by the Proposed Rule: Miss. Admin. Code, Title 19, Part 7, Chapters 4 and 5	

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit: The Amendments proposed modernize the rules, and address some gaps in the previous set of rules. The benefit to the consumer will be enhanced oversight of the factory-built home industry. The benefit to the factory-built home industry will be clarification of the parameters of expectations placed upon them.

2. Briefly describe the need for the proposed rule: The amendments are needed to modernize the rules, and clarify ambiguities.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:
The Amendment of the rules will result in enhanced oversight of the manufactured housing industry within the State of Mississippi, ensuring that the citizens of Mississippi residing in factory-built housing will be residing in safe and properly constructed homes.

4. Estimated Cost of implementing proposed action:
 - a. To the agency
 Nothing Minimal Moderate Substantial Excessive
 - b. To other state or local government entities
 Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
- c. Cost:
 Nothing Minimal Moderate Substantial Excessive
- d. Economic Benefit:
 Nothing Minimal Moderate Substantial Excessive
6. Estimated impact on small businesses:
 Nothing Minimal Moderate Substantial Excessive
- a. Estimate of the number of small businesses subject to the proposed regulation:
 The estimated number of small business retailers/developers and installer/transporters is 209.
- b. Projected costs for small businesses to comply:
 The new regulation will require the licensed Installer/Transporter to provide proof of a Surety Bond Policy of \$25,000.00 **and** a General Liability Policy in the amount of \$100,000.00. Under the current regulations the Installer/Transporter is required to provide proof of a \$25,000 Surety Bond Policy **and** a \$500,000.00 General Liability Policy.
- The projected cost to the Installer/Transporter for insurance coverage should reduce as a result of this rule amendment.
- c. Statement of probable effect on impacted small businesses:
 The most probable effect of the regulation would be that the cost of doing business may be decreased to compensate for the reduced insurance requirements.
7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
 substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than
8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
 substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
 yes no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

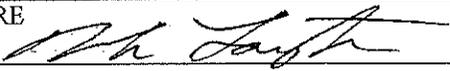
C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form: It is common knowledge that the cost to procure a general liability insurance policy in the amount of \$100,000 will be less than the cost to procure a general liability insurance policy in the amount of \$500,000.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled? A person may send comments, suggestions, and a request for an oral proceeding to:

Mississippi Insurance Dept.
Attn: Mark Lampton, Special Asst. Att. Gen.
P.O. Box 79
Jackson, MS 39205-0079
or via email at: manhousing@mid.ms.gov

SIGNATURE 	TITLE Special Assistant Attorney General
DATE July 15, 2016	PROPOSED EFFECTIVE DATE OF RULE October 1, 2016
