

Act No. 150  
Public Acts of 2013  
Approved by the Governor  
November 5, 2013  
Filed with the Secretary of State  
November 5, 2013  
EFFECTIVE DATE: February 4, 2014

**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2013**

Introduced by Senators Jones, Hansen, Brandenburg, Pappageorge, Hopgood and Anderson

# **ENROLLED SENATE BILL No. 235**

AN ACT to amend 1986 PA 54, entitled “An act to regulate and register building officials, plan reviewers, building inspectors, electrical inspectors, mechanical inspectors, and plumbing inspectors; to prescribe the powers and duties of the state construction code commission; to create a building officials advisory board; to require the approval of educational and training programs for building officials, plan reviewers, and inspectors; to provide for the establishment and disposition of fees; to provide for the promulgation of rules; and to prescribe penalties,” by amending sections 2, 9, and 11 (MCL 338.2302, 338.2309, and 338.2311).

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

(a) “Adopted”, in reference to a rule or ordinance, means properly passed.

(b) “Advisory board” means the building officials advisory board created pursuant to section 3.

(c) “Approved” means reviewed and found acceptable by the commission.

(d) “Building official” means a construction code enforcement person working as an inspector, or plan reviewer, or actively engaged in the administration and enforcement of adopted building, electrical, mechanical, or plumbing codes, or any combination of these codes.

(e) “Code” means that term as defined in section 2a of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1502a.

(f) “Commission” means that term as defined in section 2a of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1502a.

(g) “Education or training program” means formal or informal courses, seminars, correspondence programs, and other teaching aids approved by the commission for building officials, plan reviewers, and inspectors.

(h) “Enforcing agency” means that term as defined in section 2a of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1502a.

(i) "Fire protection system" means that term as defined in the Michigan building code.

(j) "Fire protection system inspector" means a person meeting the qualifications established by this act responsible for the inspection of fire protection systems in accordance with the design and installation standards referenced by the Michigan building code.

(k) "Fire protection system plan reviewer" means a person meeting the qualifications established by this act responsible for the review of fire protection system plans in accordance with the design and installation standards referenced by the Michigan building code.

(l) "Inspector" means the person responsible for the administration and enforcement of the construction of buildings, structures, or appurtenances under the requirements of the code.

(m) "Practical construction experience" means experience in construction related trades or code administration and enforcement that is found to be acceptable to the commission.

(n) "Plan reviewer" means a person engaged in the practice of examining construction documents for the purpose of determining compliance with applicable codes.

(o) "Provisional registration" means a building official, plan reviewer, or inspector who is registered subject to attaining the amount of training, education, and experience required by the appropriate board and the commission.

(p) "Registered" means a building official, plan reviewer, inspector, fire protection system inspector, or fire protection system plan reviewer who is registered under this act.

(q) "Test" means a method of determining qualifications of a person seeking registration as a building official, plan reviewer, or inspector under this act. Tests may be written, oral, practical, or a combination of written, oral, and practical. Completion of education or training programs may be substituted for appropriate tests or portions of tests.

(r) "Code change cycle" means the publication by a nationally recognized code writing body of a new edition of a basic code which includes all approved changes to the basic code since the previous edition. Code change cycle does not include changes to the basic code approved and published in annual supplements to the code.

Sec. 9. Upon written notice of hearing, the commission may revoke or suspend the registration of any building official, plan reviewer, inspector, fire protection system inspector, or fire protection system plan reviewer if there is sufficient evidence showing that the registered person has violated this act or rules promulgated pursuant to this act, in the performance of his or her duties. In any proceeding under this act, the enforcing agency which employs the person may appear as a party in interest. All hearings shall be conducted pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

Sec. 11. (1) Upon receipt of the fee prescribed in section 13, the commission, without requiring an examination, shall register or reregister, as a building official, inspector, plan reviewer, fire protection system inspector, or fire protection system plan reviewer, an applicant licensed or certified under the laws of another state. However, the commission shall register or reregister the applicant only if the commission determines that the licensing or certification requirements of the other state are equivalent to the requirements of this state for the purpose of establishing reciprocity privileges for building officials, inspectors, plan reviewers, fire protection system inspectors, and fire protection system plan reviewers.

(2) Upon receipt of the fee prescribed in section 13, the commission, without requiring an examination, shall register or reregister as a building official, inspector, or plan reviewer an applicant licensed or certified by a national organization as a building official, inspector, or plan reviewer. However, the commission shall register or reregister the applicant only if the commission determines that the licensing or certification requirements of the national organization are equivalent to the requirements of this state for the purpose of establishing reciprocity privileges for building officials, inspectors, and plan reviewers.

(3) Upon the receipt of the fee prescribed in section 13, the commission, without requiring an examination, shall register or reregister as a fire protection system inspector an applicant who meets all the following requirements:

(a) Is certified by the national fire protection association or the international code council as a fire inspector I and fire inspector II.

(b) Attests to the department in his or her application to having an understanding of the Michigan building code.

(4) Upon the receipt of the fee prescribed in section 13, the commission, without requiring an examination, shall register or reregister as a fire protection system plan reviewer an applicant who meets all the following requirements:

(a) Is certified by the national fire protection association or the international code council as a fire inspector I and a plans examiner.

(b) Attests to the department in his or her application to having an understanding of the Michigan building code.

Enacting section 1. This amendatory act takes effect upon the expiration of 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor