

HOUSE BILL No. 4561

April 14, 2011, Introduced by Reps. Haveman, Price, MacMaster, Glardon, Daley, O'Brien, Bumstead, Rendon, MacGregor, Foster, Rogers, Outman, Goike, Lyons, Pscholka, Heise, Lane, Liss, Yonker, Barnett, Geiss, Wayne Schmidt, Hooker, Hughes, Shaughnessy and Meadows and referred to the Committee on Regulatory Reform.

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The director shall prepare and promulgate the
2 state construction code consisting of rules governing the
3 construction, use, and occupation of buildings and structures,
4 including land area incidental to the buildings and structures, the
5 manufacture and installation of building components and equipment,
6 the construction and installation of premanufactured units, the
7 standards and requirements for materials to be used in connection
8 with the units, and other requirements relating to the safety,
9 including safety from fire, and sanitation facilities of the
10 buildings and structures.

1 (2) The code shall consist of the international residential
2 code, the international building code, the international mechanical
3 code, the international plumbing code published by the
4 international code council, the national electrical code published
5 by the national fire prevention association, and the Michigan
6 uniform energy code with amendments, additions, or deletions as the
7 director determines appropriate.

8 (3) The code shall be designed to effectuate the general
9 purposes of this act and the following objectives and standards:

10 (a) To provide standards and requirements for construction and
11 construction materials consistent with nationally recognized
12 standards and requirements.

13 (b) To formulate standards and requirements, to the extent
14 practicable in terms of performance objectives, so as to make
15 adequate performance for the use intended the test of
16 acceptability.

17 (c) To permit to the fullest extent feasible the use of modern
18 technical methods, devices, and improvements, including
19 premanufactured units, consistent with reasonable requirements for
20 the health, safety, and welfare of the occupants and users of
21 buildings and structures.

22 (d) To eliminate restrictive, obsolete, conflicting, and
23 unnecessary construction regulations that tend to increase
24 construction costs ~~unnecessarily~~ or restrict the use of new
25 materials, products, or methods of construction, or provide
26 preferential treatment to types or classes of materials or products
27 or methods of construction.

1 (e) To ~~insure~~ **ENSURE** adequate maintenance of buildings and
2 structures throughout this state and to adequately protect the
3 health, safety, and welfare of the people.

4 (f) To provide standards and requirements for cost-effective
5 energy efficiency that will be effective April 1, 1997.

6 (g) Upon periodic review, to continue to seek ever-improving,
7 cost-effective energy efficiencies.

8 (h) ~~The development of~~ **TO DEVELOP** a voluntary consumer
9 information system relating to energy efficiencies.

10 (4) The code shall be divided into sections as the director
11 considers appropriate including, without limitation, building,
12 plumbing, electrical, and mechanical sections. The boards shall
13 participate in and work with the staff of the director in the
14 preparation of parts relating to their functions. Before the
15 promulgation of an amendment to the code, the boards whose
16 functions relate to that code ~~shall be permitted to~~ **MAY** draft and
17 recommend to the director proposed language. The director shall
18 ~~give consideration to~~ **CONSIDER** all submissions by the boards.
19 However, the director has final responsibility for the promulgation
20 of the code.

21 (5) ~~The code may incorporate the provisions of a code,~~
22 ~~standard, or other material by reference.~~ The director shall add,
23 amend, and rescind rules to update the code not less than ~~one~~
24 every 3-6 years. ~~to coincide with the national code change cycle.~~

25 (6) Before the Michigan building code, the Michigan
26 residential code, the Michigan plumbing code, the Michigan
27 mechanical code, the Michigan uniform energy code, and the Michigan

1 rehabilitation code may be enforced, the director shall make each
2 Michigan-specific code available to the general public for at least
3 45 days in printed, electronic, or other form that does not require
4 the user to purchase additional documents or data in any form in
5 order to have an updated complete version of each specific code,
6 excluding other referenced standards within each code. This
7 subsection does not apply to any code effective before April 1,
8 2005.