

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 235

A bill to amend 1986 PA 54, entitled
"Building officials and inspectors registration act,"
by amending sections 2, 9, and 11 (MCL 338.2302, 338.2309, and
338.2311).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Adopted", **IN REFERENCE TO A RULE OR ORDINANCE**, means a
3 properly passed. ~~rule or ordinance.~~

4 (b) "Advisory board" means the building officials advisory
5 board created pursuant to section 3.

6 (c) "Approved" means reviewed and found acceptable by the
7 commission.

8 (d) "Building official" means a construction code enforcement
9 person working as an inspector, or plan reviewer, or actively

1 engaged in the administration and enforcement of adopted building,
 2 electrical, mechanical, or plumbing codes, or any combination of
 3 these codes.

4 (e) "Code" means ~~the state construction code provided for~~ **THAT**
 5 **TERM AS DEFINED** in section ~~4-2A~~ of the **STILLE-DEROSSETT-HALE SINGLE**
 6 state construction code act, ~~of 1972, Act No. 230 of the Public~~
 7 ~~Acts of 1972, being section 125.1504 of the Michigan Compiled Laws,~~
 8 ~~or a part of that code which is of limited application, and~~
 9 ~~includes a modification of or amendment to the code, or a~~
 10 ~~nationally recognized model building code or other nationally~~
 11 ~~recognized model code adopted by a governmental subdivision~~
 12 ~~pursuant to section 8 of the state construction code act of 1972,~~
 13 ~~being section 125.1508 of the Michigan Compiled Laws.~~ **1972 PA 230,**
 14 **MCL 125.1502A.**

15 (f) "Commission" means ~~the state construction code commission~~
 16 ~~as established~~ **THAT TERM AS DEFINED** in section ~~3-2A~~ of the **STILLE-**
 17 **DEROSSETT-HALE SINGLE** state construction code act, ~~of 1972, Act No.~~
 18 ~~230 of the Public Acts of 1972, being section 125.1503 of the~~
 19 ~~Michigan Compiled Laws.~~ **1972 PA 230, MCL 125.1502A.**

20 (g) "Education or training program" means formal or informal
 21 courses, seminars, correspondence programs, and other teaching aids
 22 **APPROVED BY THE COMMISSION** for building officials, plan reviewers,
 23 and inspectors. ~~which have been approved by the commission.~~

24 (h) "Enforcing agency" means ~~an enforcing agency~~ **THAT TERM** as
 25 defined in section ~~2-2A~~ of the **STILLE-DEROSSETT-HALE SINGLE STATE**
 26 construction code act, ~~of 1972, Act No. 230 of the Public Acts of~~
 27 ~~1972, being section 125.1502 of the Michigan Compiled Laws.~~ **1972 PA**

1 230, MCL 125.1502A.

2 (I) "FIRE PROTECTION SYSTEM" MEANS THAT TERM AS DEFINED IN THE
3 MICHIGAN BUILDING CODE.

4 (J) "FIRE PROTECTION SYSTEM INSPECTOR" MEANS A PERSON MEETING
5 THE QUALIFICATIONS ESTABLISHED BY THIS ACT RESPONSIBLE FOR THE
6 INSPECTION OF FIRE PROTECTION SYSTEMS IN ACCORDANCE WITH THE DESIGN
7 AND INSTALLATION STANDARDS REFERENCED BY THE MICHIGAN BUILDING
8 CODE.

9 (K) "FIRE PROTECTION SYSTEM PLAN REVIEWER" MEANS A PERSON
10 MEETING THE QUALIFICATIONS ESTABLISHED BY THIS ACT RESPONSIBLE FOR
11 THE REVIEW OF FIRE PROTECTION SYSTEM PLANS IN ACCORDANCE WITH THE
12 DESIGN AND INSTALLATION STANDARDS REFERENCED BY THE MICHIGAN
13 BUILDING CODE.

14 (I) ~~(i)~~ "Inspector" means the person responsible for the
15 administration and enforcement of the construction of buildings,
16 structures, or appurtenances under the requirements of the
17 ~~applicable building, electrical, mechanical, or plumbing code~~
18 ~~administered and enforced within the jurisdiction of the employing~~
19 ~~enforcing agency employing the person.~~ CODE.

20 (M) ~~(j)~~ "Practical construction experience" means experience
21 in construction related trades or code administration and
22 enforcement ~~which~~ **THAT** is found to be acceptable to the commission.

23 (N) ~~(k)~~ "Plan reviewer" means a person engaged in the practice
24 of examining construction documents for the purpose of determining
25 compliance with applicable codes.

26 (O) ~~(l)~~ "Provisional registration" means a building official,
27 plan reviewer, or inspector who is registered subject to attaining

1 the amount of training, education, and experience required by the
2 appropriate board and the commission.

3 (P) ~~(m)~~—"Registered" means a building official, plan reviewer,
4 ~~or~~ inspector, **FIRE PROTECTION SYSTEM INSPECTOR, OR FIRE PROTECTION**
5 **SYSTEM PLAN REVIEWER** who is registered under this act.

6 (Q) ~~(n)~~—"Test" means a method of determining the
7 qualifications of a person seeking registration as a building
8 official, plan reviewer, or inspector under this act. Tests may be
9 written, oral, practical, or a combination of written, oral, and
10 practical. Completion of ~~educational~~ **EDUCATION** or training programs
11 ~~which have been approved by the commission~~ may be substituted for
12 appropriate tests or portions of tests.

13 (R) ~~(o)~~—"Code change cycle" means the publication by a
14 nationally recognized code writing body of a new edition of a basic
15 code which includes all approved changes to the basic code since
16 the previous edition. Code change cycle does not include changes to
17 the basic code approved and published in annual supplements to the
18 code.

19 Sec. 9. Upon written notice of hearing, the commission may
20 revoke or suspend the registration of any building official, plan
21 reviewer, ~~or~~ inspector, **FIRE PROTECTION SYSTEM INSPECTOR, OR FIRE**
22 **PROTECTION SYSTEM PLAN REVIEWER** if there is sufficient evidence
23 showing that the registered person has violated this act or rules
24 promulgated pursuant to this act, in the performance of his or her
25 duties. In any proceeding under this act, the enforcing agency
26 which employs the person may appear as a party in interest. All
27 hearings shall be conducted pursuant to the administrative

1 procedures act of 1969, ~~Act No. 306 of the Public Acts of 1969,~~
2 ~~being sections 24.201 to 24.328 of the Michigan Compiled Laws 1969~~
3 **PA 306, MCL 24.201 TO 24.328.**

4 Sec. 11. (1) ~~Upon payment to the commission~~ **RECEIPT** of the fee
5 prescribed in section 13, the commission, **WITHOUT REQUIRING AN**
6 **EXAMINATION**, shall register ~~and OR reregister, without examination~~
7 ~~applicants~~ **AS A BUILDING OFFICIAL, INSPECTOR, PLAN REVIEWER, FIRE**
8 **PROTECTION SYSTEM INSPECTOR, OR FIRE PROTECTION SYSTEM PLAN**
9 **REVIEWER, AN APPLICANT** licensed or certified under the laws of
10 ~~other states or national organizations having requirements for~~
11 ~~certified or licensed building officials, inspectors, or plan~~
12 ~~reviewers which~~ **ANOTHER STATE. HOWEVER, THE COMMISSION SHALL**
13 **REGISTER OR REREGISTER THE APPLICANT ONLY IF** the commission
14 determines **THAT THE LICENSING OR CERTIFICATION REQUIREMENTS OF THE**
15 **OTHER STATE** are equivalent to the requirements of this state for
16 the purpose of establishing reciprocity privileges for building
17 officials, inspectors, ~~and plan reviewers,~~ **FIRE PROTECTION SYSTEM**
18 **INSPECTORS, AND FIRE PROTECTION SYSTEM PLAN REVIEWERS.**

19 (2) **UPON RECEIPT OF THE FEE PRESCRIBED IN SECTION 13, THE**
20 **COMMISSION, WITHOUT REQUIRING AN EXAMINATION, SHALL REGISTER OR**
21 **REREGISTER AS A BUILDING OFFICIAL, INSPECTOR, OR PLAN REVIEWER AN**
22 **APPLICANT LICENSED OR CERTIFIED BY A NATIONAL ORGANIZATION AS A**
23 **BUILDING OFFICIAL, INSPECTOR, OR PLAN REVIEWER. HOWEVER, THE**
24 **COMMISSION SHALL REGISTER OR REREGISTER THE APPLICANT ONLY IF THE**
25 **COMMISSION DETERMINES THAT THE LICENSING OR CERTIFICATION**
26 **REQUIREMENTS OF THE NATIONAL ORGANIZATION ARE EQUIVALENT TO THE**
27 **REQUIREMENTS OF THIS STATE FOR THE PURPOSE OF ESTABLISHING**

1 RECIPROCITY PRIVILEGES FOR BUILDING OFFICIALS, INSPECTORS, AND PLAN
2 REVIEWERS.

3 (3) UPON THE RECEIPT OF THE FEE PRESCRIBED IN SECTION 13, THE
4 COMMISSION, WITHOUT REQUIRING AN EXAMINATION, SHALL REGISTER OR
5 REREGISTER AS A FIRE PROTECTION SYSTEM INSPECTOR AN APPLICANT WHO
6 MEETS ALL THE FOLLOWING REQUIREMENTS:

7 (A) IS CERTIFIED BY THE NATIONAL FIRE PROTECTION ASSOCIATION
8 OR THE INTERNATIONAL CODE COUNCIL AS A FIRE INSPECTOR I AND FIRE
9 INSPECTOR II.

10 (B) ATTESTS TO THE DEPARTMENT IN HIS OR HER APPLICATION TO
11 HAVING AN UNDERSTANDING OF THE MICHIGAN BUILDING CODE.

12 (4) UPON THE RECEIPT OF THE FEE PRESCRIBED IN SECTION 13, THE
13 COMMISSION, WITHOUT REQUIRING AN EXAMINATION, SHALL REGISTER OR
14 REREGISTER AS A FIRE PROTECTION SYSTEM PLAN REVIEWER AN APPLICANT
15 WHO MEETS ALL THE FOLLOWING REQUIREMENTS:

16 (A) IS CERTIFIED BY THE NATIONAL FIRE PROTECTION ASSOCIATION
17 OR THE INTERNATIONAL CODE COUNCIL AS A FIRE INSPECTOR I AND A PLANS
18 EXAMINER.

19 (B) ATTESTS TO THE DEPARTMENT IN HIS OR HER APPLICATION TO
20 HAVING AN UNDERSTANDING OF THE MICHIGAN BUILDING CODE.

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