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BILL



ANALYSIS

**Telephone: (517) 373-5383**  
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House Bill 5639 (as reported without amendment)

Sponsor: Representative Allen Lowe

House Committee: Tourism and Recreation

Senate Committee: Economic Development, International Trade and Regulatory Affairs

### **CONTENT**

The bill would amend the State Construction Code Act to permit bed and breakfast establishments (B&Bs) to offer meals other than breakfast; increase the number of rooms that a B&B may rent; and specify that B&Bs would be considered to be family residential structures, and not hotels, regardless of their date of construction or renovation.

Under the State Construction Code Act, a B&B is considered a single family residential structure, and may not be treated as a hotel or other facility that serves transient tenants. The Act specifies that this provision is effective throughout the State, without local modification, notwithstanding the exemption provisions in the Act that allow local governments to exempt themselves from parts of the Act and the State Construction Code.

The Act specifies further that this provision concerning the status of a B&B applies to a B&B that was constructed before July 13, 1987, and to a single family residential structure that was constructed before July 13, 1987, and was renovated to become a B&B after that date. The provision does not apply to a B&B that was constructed after July 13, 1987, or to a single family residential structure that was constructed and renovated to become a B&B after that date.

The bill would delete these provisions referring to B&Bs constructed, or structures renovated to become B&Bs, before and after July 13, 1987, thus making the provision that a B&B be considered to be a single family residential structure, and not a hotel, apply to all B&Bs regardless of their date of construction or renovation.

The bill also would amend the Act's definition of "bed and breakfast" to increase from eight to 10 the maximum number of sleeping rooms in a B&B and to specify that it would serve meals, rather than breakfast as currently provided.

MCL 125.1504b

Legislative Analyst: L. Burghardt

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 5-23-96

Fiscal Analyst: M. Barsch

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.