



SENATE BILL No. 719

October 5, 1995, Introduced by Senators ROGERS, CISKY, BENNETT, STEIL, GOUGEON, STILLE, GAST, DUNASKISS, SCHUETTE, NORTH, VAN REGENMORTER, EMMONS, MC MANUS, BOUCHARD and SHUGARS and referred to the Committee on Human Resources, Labor and Veterans Affairs.

A bill to amend the title and section 4 of Act No. 230 of the Public Acts of 1972, entitled as amended "State construction code act of 1972," section 4 as amended by Act No. 371 of the Public Acts of 1980, being section 125.1504 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 4 of Act No. 230 of the
2 Public Acts of 1972, section 4 as amended by Act No. 371 of the
3 Public Acts of 1980, being section 125.1504 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 TITLE

6 An act to create a construction code commission and pre-
7 scribe its functions; to authorize the commission to promulgate
8 rules with recommendations from each affected board relating to
9 the construction, alteration, demolition, occupancy, and use of

1 buildings and structures; TO PRESCRIBE ENERGY CONSERVATION
2 STANDARDS FOR THE CONSTRUCTION OF CERTAIN BUILDINGS; to provide
3 for statewide approval of premanufactured units; to provide for
4 the testing of new devices, materials, and techniques for the
5 construction of buildings and structures; to define the classes
6 of buildings and structures affected by the act; to provide that
7 governmental subdivisions may with exceptions elect not to be
8 subject to certain parts of the act; to provide for administra-
9 tion and enforcement of the act; to create a state construction
10 code fund; to prohibit certain conduct; to establish remedies and
11 sanctions for violations of the act; to repeal ~~certain~~ acts and
12 parts of acts; and to provide an appropriation.

13 Sec. 4. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (6), THE
14 commission shall prepare and promulgate the state construction
15 code consisting of rules governing the construction, use, and
16 occupation of buildings and structures, including land area inci-
17 dental to the buildings and structures, the manufacture and
18 installation of building components and equipment, the construc-
19 tion and installation of premanufactured units, the standards and
20 requirements for materials to be used in connection with the
21 units, and other requirements relating to the safety, including
22 safety from fire, and sanitation facilities of the buildings and
23 structures.

24 (2) The code shall consist of nationally recognized model
25 building codes, other nationally recognized model codes and stan-
26 dards, and amendments, additions, or deletions to the building

1 code or other codes and standards as the commission determines
2 appropriate.

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

5 (a) To provide standards and requirements for construction
6 and construction materials consistent with nationally recognized
7 standards and requirements.

8 (b) To formulate standards and requirements, to the extent
9 practicable in terms of performance objectives, so as to make
10 adequate performance for the use intended the test of
11 acceptability.

12 (c) To permit to the fullest extent feasible the use of
13 modern technical methods, devices, and improvements, including
14 premanufactured units, consistent with reasonable requirements
15 for the health, safety, and welfare of the occupants and users of
16 buildings and structures.

17 (d) To eliminate restrictive, obsolete, conflicting, and
18 unnecessary construction regulations that tend to increase con-
19 struction costs unnecessarily or restrict the use of new materi-
20 als, products, or methods of construction, or provide preferen-
21 tial treatment to types or classes of materials or products or
22 methods of construction.

23 (e) To insure adequate maintenance of buildings and struc-
24 tures throughout this state and to adequately protect the health,
25 safety, and welfare of the people.

26 (4) The code shall be divided into sections as the
27 commission considers appropriate including, without limitation,

1 building, plumbing, electrical, and mechanical sections. The
2 boards shall participate in and work with the staff of the com-
3 mission in the preparation of parts relating to their functions.
4 Before the promulgation of an amendment to the code, the boards
5 whose functions relate to that code shall be permitted to draft
6 and recommend to the commission proposed language. The commis-
7 sion shall give consideration to ~~any~~ ALL submissions by the
8 boards. However, the commission has final responsibility for the
9 promulgation of the code.

10 (5) The code may incorporate the provisions of ~~any~~ A code,
11 standard, or other material by reference. The commission shall
12 add, amend, and rescind rules to update the code ~~at least~~ NOT
13 LESS THAN once every 3 years to coincide with the national code
14 change cycle.

15 (6) THE STANDARDS FOR ENERGY CONSERVATION IN THE CONSTRUC-
16 TION OF A BUILDING ENVELOPE SHALL BE THOSE SET FORTH IN STANDARDS
17 90A-1980 OR 90B-1975, AS APPLICABLE, PUBLISHED BY THE AMERICAN
18 SOCIETY OF HEATING, REFRIGERATING AND AIR-CONDITIONING ENGINEERS,
19 INC.