

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5341

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
(MCL 125.1501 to 125.1531) by adding section 4f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4F. (1) THE DIRECTOR MAY PROVIDE FOR, AT THE TIME OF
2 INITIAL CONSTRUCTION OF A SINGLE-FAMILY DWELLING OR A MULTIFAMILY
3 DWELLING, OR AT THE TIME OF RENOVATION OF ANY EXISTING SINGLE-
4 FAMILY DWELLING IN WHICH A PERMIT IS REQUIRED, OR UPON THE ADDITION
5 OR CREATION OF A BEDROOM, THE INSTALLATION OF AT LEAST 1
6 OPERATIONAL AND APPROVED CARBON MONOXIDE DEVICE WITHIN THE SINGLE-
7 FAMILY DWELLING OR WITHIN EACH UNIT OF THE MULTIFAMILY DWELLING. A
8 CARBON MONOXIDE DEVICE SHALL BE LOCATED IN THE VICINITY OF THE
9 BEDROOMS, WHICH MAY INCLUDE 1 DEVICE CAPABLE OF DETECTING CARBON
10 MONOXIDE NEAR ALL ADJACENT BEDROOMS; IN AREAS WITHIN THE DWELLING

1 ADJACENT TO AN ATTACHED GARAGE; AND IN AREAS ADJACENT TO ANY FUEL-
2 BURNING APPLIANCES.

3 (2) THE CARBON MONOXIDE DEVICE DESCRIBED IN SUBSECTION (1) MAY
4 BE BATTERY-POWERED, PLUG-IN WITH OR WITHOUT BATTERY BACKUP, WIRED
5 INTO THE DWELLING'S AC POWER LINE WITH SECONDARY BATTERY BACKUP, OR
6 CONNECTED TO A SYSTEM BY MEANS OF A CONTROL PANEL. IF THE
7 INTERNATIONAL RESIDENTIAL CODE IS ADOPTED BY THE DIRECTOR AS PART
8 OF A CODE ADOPTED AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT
9 THAT ADDED THIS SECTION, THOSE REQUIREMENTS APPLY AND SHALL BE
10 FOLLOWED UPON THE EFFECTIVE DATE OF THE CODE.

11 (3) AN ENFORCING AGENCY SHALL NOT IMPOSE A PENALTY FOR THE
12 FAILURE OF A PERSON TO COMPLY WITH SUBSECTION (1) UNTIL THE
13 EFFECTIVE DATE OF THE CODE THAT MAY BE ADOPTED AFTER THE EFFECTIVE
14 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION THAT
15 INCORPORATES THAT REQUIREMENT.

16 (4) A PERSON LICENSED UNDER ARTICLE 24 OF THE OCCUPATIONAL
17 CODE, 1980 PA 299, MCL 339.2401 TO 339.2412, WHO IS IN COMPLIANCE
18 WITH THIS SECTION OR RULES PROMULGATED UNDER THE CODE AND INSTALLS,
19 IN ACCORDANCE WITH MANUFACTURER'S PUBLISHED INSTRUCTIONS AT THE
20 TIME OF INSTALLATION, A CARBON MONOXIDE DEVICE SHALL HAVE NO
21 LIABILITY, DIRECTLY OR INDIRECTLY, TO ANY PERSON WITH RESPECT TO
22 THE OPERATION, MAINTENANCE, OR EFFECTIVENESS OF THE CARBON MONOXIDE
23 DEVICE.

24 (5) AS USED IN THIS SECTION:

25 (A) "APPROVED" MEANS A CARBON MONOXIDE DEVICE THAT IS LISTED
26 AS COMPLYING WITH EITHER ANSI/UL 2034 OR ANSI/UL 2075 AND THAT IS
27 INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

1 (B) "CARBON MONOXIDE DEVICE" MEANS A DEVICE THAT DETECTS
2 CARBON MONOXIDE AND ALERTS OCCUPANTS VIA A DISTINCT AND AUDIBLE
3 SIGNAL THAT IS EITHER SELF-CONTAINED IN THE UNIT OR ACTIVATED VIA A
4 SYSTEM CONNECTION.

5 (C) "OPERATIONAL" MEANS WORKING AND IN SERVICE.

6 (6) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE
7 "OVERBECK LAW".

8 Enacting section 1. This amendatory act takes effect 90 days
9 after it is enacted into law.