

Legislative Analysis



UPDATE UNIFORM CONSTRUCTION CODE AT LEAST EVERY 6 YEARS, RATHER THAN 3 YEARS

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House Bill 4561

Sponsor: Rep. Joe Haveman

Committee: Regulatory Reform

Complete to 9-12-11

A SUMMARY OF HOUSE BILL 4561 AS INTRODUCED 4-14-11

Section 4 of the Stille-DeRossett-Hale Single State Construction Code (known as the Uniform Construction Code) gives the director of the Department of Consumer and Industry Services, now known as Licensing and Regulatory Affairs (LARA), the authority to promulgate the state construction code. The code consists of rules governing the construction, use, and occupation of buildings and structures, including land area incidental to the buildings and structures, the manufacture and installation of building components and equipment, the construction and installation of premanufactured units, the standards and requirements for materials to be used in connection with the units, and other requirements relating to the safety, including safety from fire, and sanitation facilities of the buildings and structures.

The statute says that the code is to consist of the International Residential Code, the International Building Code, the International Mechanical Code, the International Plumbing Code published by the International Code Council, the National Electrical Code published by the National Fire Prevention Association, and the Michigan Uniform Energy Code with amendments, additions, or deletions as the director determines appropriate.

House Bill 4561 would make the following changes (at MCL 125.1504).

****** Currently, the code "may incorporate provisions of a code, standard, or other material by reference." The bill would eliminate that provision.

****** The LARA director (or a person designated by the director) is required to add, amend, and rescind rules to update the code not less than once every three years "to coincide with the national code change cycle." The bill, instead, would increase that time frame to not less than every six years and would eliminate the language on the national code change cycle.

****** One of the "objectives and standards" to be met in designing the state construction code is "to eliminate restrictive, obsolete, conflicting, and unnecessary construction regulations that tend to increase construction costs unnecessarily . . ." The bill would eliminate the word "unnecessarily."

FISCAL IMPACT:

House Bill 4561 can be expected to have a modest fiscal impact on the Department of Licensing and Regulatory Affairs (LARA) by marginally reducing expenditures for the Bureau of Construction Codes. The reduction would be caused by changes the bill makes to the frequency that the Director must update the State Construction Code: from not less than once every three years to not less than once every six years. It can be expected that the Director's review and the revision process of the Code entails administrative costs that would be reduced by a modest amount since the process would be carried out more infrequently. Other changes made by the bill are not expected to have a fiscal impact on LARA.

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