

Legislative Analysis



STORM SHELTER REQUIREMENT

Phone: (517) 373-8080
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House Bill 5068 substitute (H-1)
Sponsor: Rep. Beth Griffin
Committee: Regulatory Reform
Complete to 10-24-17

Analysis available at
<http://www.legislature.mi.gov>

REVISED SUMMARY:

House Bill 5068 would amend the Stille-DeRossett-Hale Single State Construction Code (MCL 125.1504) to specify that the code could not require the building of storm shelters when constructing public schools, nonpublic schools, or critical governmental emergency operations buildings in the state. A “nonpublic school” and “public school” would mean those terms as defined in the Revised School Code (MCL 380.5).

BACKGROUND INFORMATION:

The Michigan construction code consists of the International Building Code (IBC) and several other international and national codes relating to the building trades. Michigan’s Construction Code authorizes the director of the Department of Licensing and Regulatory Affairs (LARA) to adopt all or any part of the international and national building codes or the standards contained within the codes by reference.

The International Building Code was updated in 2015 with the provisions taking effect in Michigan on April 20, 2017. The 2015 IBC included new provisions requiring public schools (K-12) and governmental emergency operations buildings (e.g., 9-1-1 centers and fire stations) in tornado-prone areas to build storm shelters capable of withstanding winds in excess of 250 mph (the strongest of tornados). A shelter would have to be sized to accommodate the occupancy of the building it would serve. The new requirement applies to new construction as well as to renovations, alterations, and improvements to existing buildings.

An emergency rule by LARA to block enactment of the storm shelter requirement took effect June 13th of this year and will expire on December 13, 2017. An amendment to R 408.30401 to permanently exclude the sections of 2015 IBC relating to the storm shelter requirement has been proposed by LARA and submitted to the Joint Committee on Administrative Rules.

FISCAL IMPACT:

House Bill 5068 would not have a significant fiscal impact on state government, but would likely lead to significant cost avoidance for local units of government, including school districts. The magnitude of the potential costs savings is indeterminate, and would depend on the number of projects that would have been required to include storm shelters and the cost of constructing such shelters.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Marcus Coffin

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