

**SUBSTITUTE FOR
HOUSE BILL NO. 4561**

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The director shall prepare and promulgate the
2 state construction code consisting of rules governing the
3 construction, use, and occupation of buildings and structures,
4 including land area incidental to the buildings and structures, the
5 manufacture and installation of building components and equipment,
6 the construction and installation of premanufactured units, the
7 standards and requirements for materials to be used in connection
8 with the units, and other requirements relating to the safety,
9 including safety from fire, and sanitation facilities of the

1 buildings and structures.

2 (2) The code shall consist of the international residential
3 code, the international building code, the international mechanical
4 code, the international plumbing code, **THE INTERNATIONAL EXISTING**
5 **BUILDING CODE, AND THE INTERNATIONAL ENERGY CONSERVATION CODE**
6 published by the international code council ~~, AND~~ the national
7 electrical code published by the national fire prevention
8 association, ~~and the Michigan uniform energy code~~ with amendments,
9 additions, or deletions as the director determines appropriate. **THE**
10 **DIRECTOR MAY ADOPT ALL OR ANY PART OF THESE CODES OR THE STANDARDS**
11 **CONTAINED WITHIN THESE CODES BY REFERENCE.**

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

14 (a) To provide standards and requirements for construction and
15 construction materials consistent with nationally recognized
16 standards and requirements.

17 (b) To formulate standards and requirements, to the extent
18 practicable in terms of performance objectives, so as to make
19 adequate performance for the use intended the test of
20 acceptability.

21 (c) To permit to the fullest extent feasible the use of modern
22 technical methods, devices, and improvements, including
23 premanufactured units, consistent with reasonable requirements for
24 the health, safety, and welfare of the occupants and users of
25 buildings and structures.

26 (d) To eliminate restrictive, obsolete, conflicting, ~~and OR~~
27 unnecessary construction regulations that tend to increase

1 construction costs unnecessarily or restrict the use of new
2 materials, products, or methods of construction, or provide
3 preferential treatment to types or classes of materials or products
4 or methods of construction.

5 (e) To ~~insure~~**ENSURE** adequate maintenance of buildings and
6 structures throughout this state and to adequately protect the
7 health, safety, and welfare of the people.

8 (f) To provide standards and requirements for cost-effective
9 energy efficiency that will be effective April 1, 1997.

10 (g) Upon periodic review, to continue to seek ever-improving,
11 cost-effective energy efficiencies.

12 (h) ~~The development of~~**TO DEVELOP** a voluntary consumer
13 information system relating to energy efficiencies.

14 (4) The code shall be divided into sections as the director
15 considers appropriate including, without limitation, building,
16 plumbing, electrical, and mechanical sections. The boards shall
17 participate in and work with the staff of the director in the
18 preparation of parts relating to their functions. Before the
19 promulgation of an amendment to the code, the boards whose
20 functions relate to that code ~~shall be permitted to~~**MAY** draft and
21 recommend to the director proposed language. The director shall
22 ~~give consideration to~~**CONSIDER** all submissions by the boards.
23 However, the director has final responsibility for the promulgation
24 of the code.

25 (5) ~~The code may incorporate the provisions of a code,~~
26 ~~standard, or other material by reference. The director shall add,~~
27 ~~amend, and rescind rules to update the code not less than once~~

1 ~~every 3 years to coincide with the national code change cycle.~~ **THE**
2 **DIRECTOR SHALL ADD, AMEND, AND RESCIND RULES TO UPDATE THE CODE NOT**
3 **LESS THAN ONCE EVERY 6 YEARS OR MORE THAN ONCE EVERY 3 YEARS.**

4 (6) Before the Michigan building code, the Michigan
5 residential code, the Michigan plumbing code, the Michigan
6 mechanical code, the Michigan uniform energy code, and the Michigan
7 rehabilitation code may be enforced, the director shall make each
8 Michigan-specific code available to the general public for at least
9 45 days in printed, electronic, or other form that does not require
10 the user to purchase additional documents or data in any form in
11 order to have an updated complete version of each specific code,
12 excluding other referenced standards within each code. This
13 subsection does not apply to any code effective before April 1,
14 2005. **IF A LISTED CODE IS UPDATED ON A 6-YEAR CYCLE, USE OF A**
15 **MATERIAL, PRODUCT, METHOD OF MANUFACTURE, OR METHOD OR MANNER OF**
16 **CONSTRUCTION OR INSTALLATION PROVIDED FOR IN AN INTERIM EDITION OF**
17 **THE RELEVANT CODE IS ACCEPTABLE THROUGHOUT THIS STATE BUT SHALL NOT**
18 **BE MANDATED BY AN ENFORCING AGENCY OR ITS BUILDING OFFICIAL OR**
19 **INSPECTOR.**