

HOUSE BILL No. 6046

June 24, 2004, Introduced by Rep. Ward and referred to the Committee on Regulatory Reform.

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 1999 PA 245.

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,
5 the manufacture and installation of building components and
6 equipment, the construction and installation of premanufactured
7 units, the standards and requirements for materials to be used in
8 connection with the units, and other requirements relating to the
9 safety, including safety from fire, and sanitation facilities of
10 the buildings and structures.

11 (2) ~~Until the date sections 2a, 3a, 8a, 8b, and 9b apply,~~

~~1 the code shall consist of nationally recognized model building
2 codes, other nationally recognized model codes and standards, and
3 amendments, additions, or deletions to the building code or other
4 codes and standards as the director determines appropriate.
5 After the date sections 2, 3, 8, 9, and 9a are repealed, the **The**
6 code shall consist of the international residential code, the
7 international building code, the international mechanical code,
8 the international plumbing code published by the international
9 code council, the national electrical code published by the
10 national fire prevention association, and the Michigan uniform
11 energy code with amendments, additions, or deletions as the
12 director determines appropriate.~~

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

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

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

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

27 (d) To eliminate restrictive, obsolete, conflicting, and

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

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

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

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

13 (h) The development of a voluntary consumer information
14 system relating to energy efficiencies.

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

26 (5) The code may incorporate the provisions of a code,
27 standard, or other material by reference. The director shall

1 add, amend, and rescind rules to update the code not less than
2 once every 3 years to coincide with the national code change
3 cycle.

4 (6) Before the director enforces the code, he or she shall
5 make it available to the general public in electronic or other
6 form for at least 90 days. In making the code available to the
7 general public, the director shall cause to be posted on the
8 electronic or other copy the date it was made available to the
9 general public.