

Legislative Analysis



PROHIBIT LOCAL GAS APPLIANCE BAN

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House Bill 4575 (H-1) as reported from committee

Sponsor: Rep. Michele Hoytenga

Committee: Regulatory Reform

Complete to 9-26-21

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

SUMMARY:

House Bill 4575 would amend the Stille-DeRossett-Hale Single State Construction Code Act to prohibit a local unit of government, notwithstanding any provision of law to the contrary, from adopting, maintaining, or enforcing an ordinance that prohibits the use of an appliance that uses gas in a new or existing residential or commercial building or structure.

MCL 125.1513a

BACKGROUND AND BRIEF DISCUSSION:

Recently, a trend has emerged among local governments across the nation either to ban the installation of gas appliances in new construction or major remodels or to require wiring that would accommodate electric appliances. Reportedly, this is in an attempt to address climate concerns and reduce carbon footprints. Although most common in California and Washington, the trend is occurring in other states as well, with approximately 80 local governments across the nation passing some form of law to reduce the use of gas appliances. An opposite trend is also spreading in recent months. Approximately 22 states have either adopted or introduced bills that would prohibit local governments from making building code changes that would ban the use of gas appliances in new construction.

Supporters of initiatives to reduce reliance on fossil fuels in new construction or major remodels cite research that shows not only an impact on global warming (gas appliances account for 13% of greenhouse gas emissions), but also an impact on the occupants of a home in which gas appliances are used. For instance, according to the Massachusetts Medical Society, research over 30 years has revealed a connection between pediatric asthma and natural gas stove use. Besides releasing carbon monoxide into the air, cooking on gas stoves also releases respiratory irritants such as nitrogen dioxide and ultrafine particulate matter. Some research suggests that children in homes with gas stove face a 24% increased risk of being diagnosed with asthma over their lifetimes. Moreover, many feel that legislative attempts to prohibit local ordinances from banning gas appliances represent an ongoing erosion of local control. Residents in a rural community do not necessarily face the same risks from air pollution as urban residents or high-density population areas, where many live in high-rise apartments. Some feel that communities should be able to choose what is best for them.

Those opposed to local bans on gas appliances maintain that gas appliances provide an affordable way for people to cook food and heat their homes. Many, especially with Michigan's cold winters, could not currently afford to heat their homes with electricity or to pay for the conversion to electric wiring of a kitchen stove. Reportedly, about 84% of residents rely on natural gas for heat and cooking. In addition, many commercial businesses, such as restaurants, also use natural gas. Many chefs believe that cooking with gas provides a better product and may be concerned that having to convert to electric appliances could negatively impact the

texture and taste of their dishes. With the current push to increase sales of electric vehicles, and the recent growth of cryptocurrency, others worry about the drain on the electric grid. Further, regarding air quality in a home, some say using an exhaust fan to ventilate to the outdoors, supplementing with microwaves and toaster ovens, using HEPA air purifiers with carbon filters, and opening windows to increase ventilation can mitigate negative impacts of gas stoves and furnaces on occupants.

FISCAL IMPACT:

House Bill 4575 would not have an appreciable fiscal impact on any unit of state or local government.

POSITIONS:

Representatives of the following entities testified in support of the bill (5-25-21):

- DTE Energy
- Michigan Chamber of Commerce
- Home Builders Association of Michigan
- UWUA

The following entities indicated support for the bill:

- National Federation of Independent Business (9-21-22)
- Michigan Restaurant and Lodging Association (5-25-21)
- Michigan Realtors (5-25-21)
- American Public Gas Association (5-25-21)
- WEC Energy Group (5-25-21)
- Michigan Electric and Gas Association (5-25-21)
- Michigan Oil and Gas Association (5-25-21)

The Department of Treasury indicated a neutral position on the bill. (5-25-21)

Representatives of the City of Ann Arbor testified in opposition to the bill. (5-25-21)

Representatives of the following entities indicated opposition to the bill:

- Department of Licensing and Regulatory Affairs (9-21-22)
- Sierra Club (9-21-22)
- Michigan Environmental Council (9-21-22)
- Natural Resources Defense Council (9-21-22)
- Michigan League of Conservation Voters (5-25-21)
- City of Grand Rapids (5-25-21)
- Michigan Energy Innovation Business Council (5-25-21)
- Ecology Center (5-25-21)

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