

# HOUSE BILL No. 4756

April 1, 2009, Introduced by Reps. Warren, Smith, Lipton, Scripps, Robert Jones, Miller and Meadows and referred to the Committee on Energy and Technology.

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~~**SUBJECT TO SUBSECTION (7), THE** code shall consist of  
3 the international residential code, the international building  
4 code, the international mechanical code, the international plumbing  
5 code published by the international code council, the national  
6 electrical code published by the national fire prevention  
7 association, and the Michigan uniform energy code with amendments,  
8 additions, or deletions as the director determines appropriate.

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

11 (a) To provide standards and requirements for construction and  
12 construction materials consistent with nationally recognized  
13 standards and requirements.

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

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

23 (d) To eliminate restrictive, obsolete, conflicting, and  
24 unnecessary construction regulations that tend to increase  
25 construction costs unnecessarily or restrict the use of new  
26 materials, products, or methods of construction, or provide  
27 preferential treatment to types or classes of materials or products

1 or methods of construction.

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

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

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

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

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

21 (5) The code may incorporate the provisions of a code,  
22 standard, or other material by reference. The director shall add,  
23 amend, and rescind rules to update the code not less than once  
24 every 3 years to coincide with the national code change cycle.

25 (6) Before the Michigan building code, the Michigan  
26 residential code, the Michigan plumbing code, the Michigan  
27 mechanical code, the Michigan uniform energy code, and the Michigan

1 rehabilitation code may be enforced, the director shall make each  
2 Michigan-specific code available to the general public for at least  
3 45 days in printed, electronic, or other form that does not require  
4 the user to purchase additional documents or data in any form in  
5 order to have an updated complete version of each specific code,  
6 excluding other referenced standards within each code. This  
7 subsection does not apply to any code effective before April 1,  
8 2005.

9           (7) BEGINNING THE CODE CYCLE AFTER THE EFFECTIVE DATE OF THE  
10 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE DIRECTOR SHALL ADOPT  
11 AS THE CODE THOSE CODES DESCRIBED IN SUBSECTION (2), THE CURRENT  
12 VERSION OF THE INTERNATIONAL ENERGY CONSERVATION CODE FOR  
13 RESIDENTIAL BUILDINGS, AND A COMMERCIAL BUILDING CODE THAT MEETS OR  
14 EXCEEDS THE ANSI/ASHERA/IEISNA STANDARD, 90.1-2007. THOSE RULES  
15 SHALL ALSO INCLUDE A PLAN FOR GOVERNMENTAL SUBDIVISIONS TO ACHIEVE  
16 COMPLIANCE WITH THE STANDARDS DESCRIBED IN THIS SUBSECTION WITHIN 8  
17 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
18 THIS SUBSECTION IN AT LEAST 90% OF NEW AND RENOVATED RESIDENTIAL  
19 AND COMMERCIAL SPACE. THE PLAN SHALL ALSO INCLUDE COMPONENTS OF  
20 TRAINING, ENFORCEMENT, AND COMPLIANCE MEASUREMENT.