

**SUBSTITUTE FOR
HOUSE BILL NO. 5830**

A bill to amend 1937 PA 306, entitled

"An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,"

by amending sections 1 and 5a (MCL 388.851 and 388.855a), section 1 as amended by 2004 PA 510 and section 5a as amended by 2006 PA 199.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Except as provided in subsection (2), a school
2 building, public or private, or any additions to a school building,
3 shall not be erected, remodeled, or reconstructed in this state
4 unless all of the following requirements are met:

1 (a) All plans and specifications for buildings shall be
2 prepared by an architect or professional engineer who is licensed
3 in this state. An architect or professional engineer licensed in
4 this state or another person qualified to supervise construction
5 shall supervise the construction of a school building. For energy
6 conservation improvements and services under section 1274a of the
7 revised school code, 1976 PA 451, MCL 380.1274a, the licensed
8 architect or professional engineer may be directly affiliated with
9 the qualified provider, as defined under that section, that is
10 providing the applicable improvements and services. However, the
11 specifications for the project shall be generic in character and,
12 to the extent possible, shall not include proprietary equipment or
13 technology developed by the qualified provider or in which the
14 qualified provider has an interest.

15 (b) All walls, floors, partitions, and roofs shall be
16 constructed of fire-resisting materials such as stone, brick, tile,
17 concrete, gypsum, steel, or similar fire-resisting material. All
18 steel members shall be protected by at least 3/4 of an inch of
19 fire-resisting material.

20 (c) Wood lath or wood furring shall not be used in the
21 construction. This requirement does not prohibit the use of
22 finished wood flooring, wood door and window frames, wood sash, or
23 wood furring and grounds, for the purpose of installing wood trim,
24 panelling, acoustical units, or similar facing materials on masonry
25 walls, structural steel, or concrete ceiling members.

26 (d) Every room enclosing a heating unit shall be enclosed by
27 walls of fire-resisting materials and shall be equipped with

1 automatically closing fire doors. A heating unit shall not be
2 located directly beneath any portion of a school building or
3 addition that is constructed or reconstructed after January 1,
4 2003. This requirement does not require the removal of an existing
5 heating plant from beneath an existing building when an addition to
6 the building is constructed unless the department requires that
7 removal in the interests of the public safety. In any school where
8 natural gas or any other kind of gas is used for heating purposes,
9 the gas shall be chemically treated before being used in such a
10 manner as to give a very distinguishable odor if a leak develops in
11 the heating system.

12 (e) In a gymnasium, fire-proofings may be omitted from the
13 trusses and purlins if they are more than 16 feet off the main
14 floor level.

15 (f) The architect or engineer shall provide adequate exits
16 from all parts of a school building. In all cases, there shall be
17 at least 2 stairways and the distance from the door of any class or
18 assembly room to a stairway or exit shall not exceed 100 feet.

19 (g) A requirement in subdivisions (b) to (f) may be waived in
20 writing by the department.

21 (h) Compliance with section 1b.

22 (2) The director of the department shall promulgate rules that
23 establish standards and requirements for the relocation and reuse
24 of used modular classrooms. The rules shall require an inspection
25 of a relocated used modular classroom at its original location, at
26 its new location, or at any location where repairs are made to the
27 used modular classroom.

1 (3) BEGINNING JULY 1, 2019, A NEW SCHOOL BUILDING, PUBLIC OR
2 PRIVATE, SHALL NOT BE ERECTED OR CONSTRUCTED, OR REMODELED, IF THE
3 COST OF REMODELING OF THE SCHOOL BUILDING IS \$250,000.00 OR MORE,
4 UNLESS THAT SCHOOL BUILDING INCLUDES AT LEAST 3 OF THE FOLLOWING
5 SAFETY MEASURES AS DETERMINED BY THE SCHOOL SAFETY COMMISSION
6 ESTABLISHED UNDER SECTION 5 OF THE COMPREHENSIVE SCHOOL SAFETY PLAN
7 ACT:

8 (A) SCHEMATIC OF SCHOOL BUILDING LAYOUTS.

9 (B) SURVEILLANCE TECHNOLOGY.

10 (C) REMOTE DOOR LOCKS.

11 (D) REINFORCED ENTRYWAYS.

12 (4) SUBSECTION (3) DOES NOT APPLY TO THE REMODELING OF A
13 SCHOOL BUILDING IF A WAIVER IS ISSUED BY THE SCHOOL SAFETY
14 COMMISSION ESTABLISHED UNDER SECTION 5 OF THE COMPREHENSIVE SCHOOL
15 SAFETY PLAN ACT FOR THE REMODELING OF THAT SCHOOL BUILDING.

16 (5) ~~(3)~~As used in this section, "department" means the
17 department of ~~labor and economic growth~~. **LICENSING AND REGULATORY**
18 **AFFAIRS.**

19 Sec. 5a. (1) Except as provided in this section **AND SECTION**
20 **1(3)**, this act does not apply to 1-story school buildings, to 1-
21 story additions to school buildings, or to the construction,
22 reconstruction, or remodeling of a school building if the total
23 cost of construction, reconstruction, or remodeling is less than
24 \$15,000.00.

25 (2) Section 1(a) applies to the construction of all school
26 buildings and additions to school buildings regardless of the
27 number of stories of the buildings or additions if the total cost

1 of construction exceeds \$15,000.00.

2 (3) Section 1(d) applies to the construction of all school
3 buildings and additions to school buildings of 1 or more stories
4 regardless of the cost of construction.

5 (4) This act applies to the reconstruction of a school
6 building destroyed or partially destroyed by fire, windstorm, or
7 other catastrophe if more than 50% of the entire building is
8 destroyed. The bureau of fire services created in section 1b of the
9 fire prevention code, 1941 PA 207, MCL 29.1b, acting jointly with
10 the superintendent of public instruction, may require that the
11 damaged portion or the remaining portion of the building, or both,
12 be remodeled or reconstructed in accordance with this act.

13 (5) This act applies to the remodeling of existing school
14 buildings and other buildings to be used for school purposes.

15 (6) An existing building or part of an existing building,
16 regardless of the number of stories or the cost to the school
17 district of the building, that has not been used as a school
18 building shall not be used as a school building unless it is
19 approved by the superintendent of public instruction and the bureau
20 of fire services.

21 (7) If the construction, reconstruction, or remodeling of a
22 school building costs less than \$15,000.00, it is not necessary to
23 employ a registered architect or engineer, but the plans for the
24 building shall be submitted to the bureau of fire services and to
25 the superintendent of public instruction or the superintendent's
26 authorized agent for criticism, suggestions, and approval.

27 Enacting section 1. This amendatory act does not take effect

1 unless House Bill No. 5828 of the 99th Legislature is enacted into
2 law.