

HOUSE BILL No. 5830

April 18, 2018, Introduced by Rep. Kosowski and referred to the Committee on Appropriations.

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:

5 (a) All plans and specifications for buildings shall be

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

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

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

25 (d) Every room enclosing a heating unit shall be enclosed by
26 walls of fire-resisting materials and shall be equipped with
27 automatically closing fire doors. A heating unit shall not be

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

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

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

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

20 (h) Compliance with section 1b.

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

27 **(3) BEGINNING JANUARY 1, 2019, A NEW SCHOOL BUILDING, PUBLIC**

1 OR PRIVATE, SHALL NOT BE ERECTED OR CONSTRUCTED UNLESS THAT SCHOOL
2 BUILDING HAS THE FOLLOWING SAFETY MEASURES AS DETERMINED BY THE
3 SCHOOL SAFETY COMMISSION ESTABLISHED UNDER SECTION 5 OF THE
4 COMPREHENSIVE SCHOOL SAFETY PLAN ACT:

5 (A) SCHEMATIC OF SCHOOL BUILDING LAYOUTS.

6 (B) SURVEILLANCE TECHNOLOGY.

7 (C) REMOTE DOOR LOCKS.

8 (D) WEAPON IDENTIFICATION DEVICES INCLUDING METAL DETECTORS.

9 (E) REINFORCED ENTRYWAYS.

10 (4) ~~(3)~~ As used in this section, "department" means the
11 department of ~~labor and economic growth~~. **TALENT AND ECONOMIC**
12 **DEVELOPMENT**.

13 Sec. 5a. (1) Except as provided in this section **AND SECTION**
14 **1(3)**, this act does not apply to 1-story school buildings, to 1-
15 story additions to school buildings, or to the construction,
16 reconstruction, or remodeling of a school building if the total
17 cost of construction, reconstruction, or remodeling is less than
18 \$15,000.00.

19 (2) Section 1(a) applies to the construction of all school
20 buildings and additions to school buildings regardless of the
21 number of stories of the buildings or additions if the total cost
22 of construction exceeds \$15,000.00.

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

26 (4) This act applies to the reconstruction of a school
27 building destroyed or partially destroyed by fire, windstorm, or

1 other catastrophe if more than 50% of the entire building is
2 destroyed. The bureau of fire services created in section 1b of the
3 fire prevention code, 1941 PA 207, MCL 29.1b, acting jointly with
4 the superintendent of public instruction, may require that the
5 damaged portion or the remaining portion of the building, or both,
6 be remodeled or reconstructed in accordance with this act.

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

9 (6) An existing building or part of an existing building,
10 regardless of the number of stories or the cost to the school
11 district of the building, that has not been used as a school
12 building shall not be used as a school building unless it is
13 approved by the superintendent of public instruction and the bureau
14 of fire services.

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

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. ___ or House Bill No. 5828 (request no.
23 05839'18) of the 99th Legislature is enacted into law.