

HOUSE BILL NO. 5962

September 26, 2024, Introduced by Reps. Byrnes, Tyrone Carter, Scott, Weiss, Morse, Conlin, Rheingans, Wilson, Price, Brabec, McKinney, Arbit and Glanville 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 10 (MCL 125.1510), as amended by 2016 PA 409.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) Except as otherwise provided in the code, before
2 construction of a building or structure, the owner, or the owner's
3 builder, architect, engineer, **interior designer that prepares**
4 **interior technical submissions in the practice of interior design,**
5 or agent, shall submit an application in writing to the appropriate

1 enforcing agency for a building permit. The application ~~shall~~**must**
2 be on a form prescribed by the commission and ~~shall~~**must** be
3 accompanied by payment of the fee established by the enforcing
4 agency. The application ~~shall~~**must** contain a detailed statement in
5 writing, verified by affidavit of the individual making it, of the
6 specifications for the building or structure, and full and complete
7 copies of the plans drawn to scale of the proposed work. A site
8 plan showing the dimensions, and the location of the proposed
9 building or structure and other buildings or structures on the same
10 premises, ~~shall~~**must** be submitted with the application. The
11 application ~~shall~~**must** state in full the name and residence, by
12 street and number, of the owner in fee of the land on which the
13 building or structure will be constructed, and the purposes for
14 which it will be used.

15 (2) If construction is proposed to be undertaken by a person
16 other than the owner of the land in fee, the statement ~~shall~~**must**
17 contain the full name and residence, by street and number, of the
18 owner and also of the person proposing the construction. The
19 affidavit ~~shall~~**must** state that the specifications and plans are
20 true and complete and contain a correct description of the building
21 or structure, lot or parcel, and proposed work. The statements and
22 affidavits may be made by an owner, or the owner's attorney, agent,
23 engineer, architect, **interior designer that prepares interior**
24 **technical submissions in the practice of interior design**, or
25 builder, by the person who proposes to make the construction or
26 alteration, or by that person's agent, engineer, architect, or
27 builder. A person shall not be recognized as the agent, attorney,
28 engineer, architect, **interior designer that prepares interior**
29 **technical submissions in the practice of interior design**, or

1 builder of another person unless the person seeking recognition
 2 files with the enforcing agency a written instrument ~~, which shall~~
 3 ~~be~~**that is** an architectural, engineering, or construction contract,
 4 power of attorney, or letter of authorization signed by that other
 5 person designating the person seeking recognition as the agent,
 6 attorney, architect, engineer, **interior designer that prepares**
 7 **interior technical submissions in the practice of interior design,**
 8 or builder and, in case of a residential builder or maintenance and
 9 alteration contractor, architect, or engineer, setting forth the
 10 license number of the person seeking recognition and the expiration
 11 date of the license.

12 (3) A person licensed or required to be licensed as a
 13 residential builder or residential maintenance and alteration
 14 contractor under the occupational code, 1980 PA 299, MCL 339.101 to
 15 ~~339.2919,~~**339.2677**, a plumbing contractor or master or journeyman
 16 plumber under article 11 of the skilled trades regulation act, **2016**
 17 **PA 407**, MCL 339.6101 to 339.6133, an electrical contractor, master
 18 electrician, or electrical journeyman under article 7 of the
 19 skilled trades regulation act, **2016 PA 407**, MCL 339.5701 to
 20 339.5739, or ~~pursuant to~~ a local ordinance, **an interior designer**
 21 **that prepares interior technical submissions in the practice of**
 22 **interior design under article 20a of the occupational code, 1980 PA**
 23 **299, MCL 339.2015 to 339.2026**, or a mechanical contractor under
 24 article 8 of the skilled trades regulation act, **2016 PA 407**, MCL
 25 339.5801 to 339.5819, who applies for a building permit to perform
 26 work on a residential building or a residential structure shall, in
 27 addition to any other information required ~~pursuant to~~**under** this
 28 act, provide on the building permit application all of the
 29 following information:

1 (a) The occupational license number of the applicant and the
2 expiration date of the occupational license.

3 (b) One of the following:

4 (i) The name of each carrier providing worker's disability
5 compensation insurance to the applicant if the applicant is
6 required to be insured ~~pursuant to~~**under** the worker's disability
7 compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

8 (ii) The reasons for exemption from the requirement to be
9 insured if the applicant is not required to be insured under the
10 worker's disability compensation act of 1969, 1969 PA 317, MCL
11 418.101 to 418.941.

12 (c) One of the following:

13 (i) The employer identification number, if the applicant is
14 required to have an employer identification number ~~pursuant to~~
15 **under** section 6109 of the internal revenue code **of 1986**, 26 USC
16 6109.

17 (ii) The reasons for exemption from the requirement to have an
18 employer identification number ~~pursuant to~~**under** section 6109 of
19 the internal revenue code of 1986, 26 USC 6109, if the applicant is
20 not required to have an employer identification number ~~pursuant to~~
21 **under** that section.

22 (d) One of the following:

23 (i) The Michigan employment security commission employer
24 number, if the applicant is required to make contributions ~~pursuant~~
25 ~~to~~**under** the Michigan employment security act, 1936 (Ex Sess) PA 1,
26 MCL 421.1 to 421.75.

27 (ii) If the applicant is not required to make contributions,
28 the reasons for exemptions from the requirement to make
29 contributions under the Michigan employment security act, 1936 (Ex

1 Sess) PA 1, MCL 421.1 to 421.75.

2 (4) The building permit application form ~~shall~~**must** contain
3 the following statement in 8-point boldfaced type immediately above
4 the location for the applicant's signature:

5 "Section 23a of the **Stille-DeRossett-Hale single** state
6 construction code act, ~~of 1972,~~ 1972 PA 230, MCL 125.1523a,
7 prohibits a person from conspiring to circumvent the licensing
8 requirements of this state relating to persons ~~who~~**that** are to
9 perform work on a residential building or a residential structure.
10 Violators of section 23a are subjected to civil fines."

11 (5) The application for a building permit ~~shall~~**must** be filed
12 with the enforcing agency and the application and any other writing
13 prepared, owned, used, in the possession of, or retained by the
14 enforcing agency in the performance of an official function ~~shall~~
15 **must** be made available to the public in compliance with the freedom
16 of information act, 1976 PA 442, MCL 15.231 to 15.246. An
17 application ~~shall~~**must** not be removed from the custody of the
18 enforcing agency after a building permit has been issued.

19 (6) This section ~~shall~~**must** be construed to allow the
20 imposition of requirements in the code, or in other laws or
21 ordinances, for additional permits for particular kinds of work,
22 including plumbing and electrical, or in other specified
23 situations. The requirements of the code may provide for issuance
24 of construction permits for certain of the systems of a structure
25 and allow construction to commence on those systems approved under
26 that permit even though the design and approval of all the systems
27 of the structure have not been completed and subsequent
28 construction permits have not been issued.

29 (7) A building permit is not required for ordinary repairs of

1 a building or structure.

2 (8) A building permit is not required for a building
3 incidental to the use for agricultural purposes of the land on
4 which the building is located if the building is not used in the
5 business of retail trade.

6 (9) A qualifying roadside stand is exempt from the plumbing
7 fixture requirements of this act and the code and is not required
8 to have electric power. However, a qualifying roadside stand that
9 has electric power must comply with the electrical code. This
10 subsection does not exempt a qualifying roadside stand from a
11 requirement to obtain a building permit. As used in this
12 subsection, "qualifying roadside stand" means a roadside stand that
13 meets all of the following requirements:

14 (a) Is used only for seasonal retail trade in agricultural
15 products.

16 (b) At least 50% of the agricultural products offered for sale
17 at the roadside stand are produced on a farm that is owned or
18 controlled by the person who owns the roadside stand.

19 (c) Is not larger than 400 square feet.

20 (d) Is securely anchored to the ground.

21 (10) A tent that meets the requirements of subsection (9) (a),
22 (b), and (c) is exempt from this act and the code.

23 **(11) As used in this section:**

24 (a) "Interior designer" means that term as defined in section
25 2015 of the occupational code, 1980 PA 299, MCL 339.2015.

26 (b) "Interior technical submission" means that term as defined
27 in section 2015 of the occupational code, 1980 PA 299, MCL
28 339.2015.

29 (c) "Practice of interior design" means that term as defined

1 in section 2015 of the occupational code, 1980 PA 299, MCL
2 339.2015.

3 Enacting section 1. This amendatory act does not take effect
4 unless Senate Bill No. _____ or House Bill No. 5960 (request no.
5 03749'23) of the 102nd Legislature is enacted into law.