

# HOUSE BILL NO. 5056

September 26, 2025, Introduced by Reps. Fairbairn, Borton, Beson, Alexander, Neyer, Slagh, Aragona and VanderWall and referred to Committee on Regulatory Reform.

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 2012 PA 504.

## **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,

1 the construction and installation of premanufactured units, the  
2 standards and requirements for materials to be used in connection  
3 with the units, and other requirements relating to the safety,  
4 including safety from fire, and sanitation facilities of the  
5 buildings and structures.

6 (2) The code ~~shall~~**must** consist of the ~~international~~  
7 ~~residential code, the international building code, the~~  
8 ~~international mechanical code, the international plumbing code, the~~  
9 ~~international existing building code, and the international energy~~  
10 ~~conservation code~~**International Residential Code** published by the  
11 ~~international code council and the national electrical code~~  
12 ~~published by the national fire prevention association,~~  
13 **International Code Council**, with amendments, additions, or  
14 deletions as the director determines appropriate. The director may  
15 adopt all or any part of ~~these codes~~**the International Residential**  
16 **Code** or the standards contained within ~~these codes~~**the**  
17 **International Residential Code** by reference.

18 (3) ~~The code shall be designed~~**The director shall design the**  
19 **code** to effectuate the general purposes of this act and the  
20 following objectives and standards:

21 (a) To provide standards and requirements for construction and  
22 construction materials consistent with nationally recognized  
23 standards and requirements.

24 (b) To formulate standards and requirements, to the extent  
25 practicable in terms of performance objectives, so as to make  
26 adequate performance for the use intended the test of  
27 acceptability.

28 (c) To permit to the fullest extent feasible the use of modern  
29 technical methods, devices, and improvements, including

1 premanufactured units, consistent with reasonable requirements for  
2 the health, safety, and welfare of the occupants and users of  
3 buildings and structures.

4 (d) To eliminate restrictive, obsolete, conflicting, or  
5 unnecessary construction regulations that tend to increase  
6 construction costs unnecessarily or restrict the use of new  
7 materials, products, or methods of construction, or provide  
8 preferential treatment to types or classes of materials or products  
9 or methods of construction.

10 (e) To ensure adequate maintenance of buildings and structures  
11 throughout this state and to adequately protect the health, safety,  
12 and welfare of the people.

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

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

17 (h) To develop a voluntary consumer information system  
18 relating to energy efficiencies.

19 ~~(4) The code shall be divided into sections as the director~~  
20 ~~considers appropriate including, without limitation, building,~~  
21 ~~plumbing, electrical, and mechanical sections. The boards shall~~  
22 ~~participate in and work with the staff of the director in the~~  
23 ~~preparation of parts relating to their functions. Before the~~  
24 ~~promulgation of an amendment to the code, the boards whose~~  
25 ~~functions relate to that code may draft and recommend to the~~  
26 ~~director proposed language. The director shall consider all~~  
27 ~~submissions by the boards. However, the director has final~~  
28 ~~responsibility for the promulgation of the code.~~**Before promulgating**  
29 **a new edition of the code described in subsection (2), the director**

1 shall appoint an advisory committee for the International  
2 Residential Code. The advisory committee must consist of all of the  
3 following:

- 4 (a) One licensed architect.
- 5 (b) One registered engineer.
- 6 (c) One representative from fire services.
- 7 (d) One licensed electrical contractor.
- 8 (e) One licensed mechanical contractor.
- 9 (f) One licensed plumbing contractor.
- 10 (g) One licensed residential builder specializing in new  
11 construction.
- 12 (h) One licensed builder specializing in remodeling,  
13 renovation, or rehabilitation.
- 14 (i) One contractor specializing in multifamily housing.
- 15 (j) One contractor specializing in energy efficiency.
- 16 (k) Three registered building officials or inspectors.
- 17 (l) One registered plan reviewer.
- 18 (m) One energy rater or modeler.
- 19 (n) One representative of persons with disabilities.
- 20 (o) One representative of a material suppliers association or  
21 a material manufacturers association.
- 22 (p) One representative of low-income homeowners and tenants as  
23 nominated by the executive director of the state housing  
24 development authority.
- 25 (q) One representative of a labor union or a division of a  
26 labor union whose members regularly perform work in the areas  
27 governed by the code for which the committee is responsible.
- 28 (r) The chief of the building division or the chief's  
29 representative who shall serve as a nonvoting member of the

1 committee.

2 (s) The director of the office of climate and energy or the  
3 director's representative who shall serve as a nonvoting member of  
4 the advisory committee.

5 (5) A notice of the time and place of an advisory committee  
6 meeting along with an agenda must be posted on the department's  
7 website not less than 5 business days before the meeting. The  
8 notice must specify the date, time, and place of the meeting. All  
9 meetings must be held in a place available to the general public.  
10 All persons are permitted to attend the meeting. All persons  
11 desiring to attend a meeting must be afforded a reasonable  
12 opportunity at the meeting to present their views on the matters  
13 before the advisory committee before any vote on the matters.

14 (6) The advisory committee shall review and compare the latest  
15 edition of the International Residential Code to the existing state  
16 construction code and shall consider any proposal submitted for  
17 revision or amendment.

18 (7) The advisory committee shall prepare a report for the  
19 director's consideration. The report must be submitted to the  
20 director and must contain the advisory committee's recommendations  
21 for changes to the existing state construction code in effect at  
22 the time of the review, including the adoption of any new language  
23 or requirements from the latest edition of the International  
24 Residential Code. The advisory committee shall submit its report to  
25 the director not more than 45 days after completing its  
26 deliberations of any proposed revisions or amendments. In making  
27 its recommendations, the committee shall consider all of the  
28 following:

29 (a) The reason for each proposed revision or amendment.

1 (b) The existence of a demonstrated need in this state for  
2 each proposed revision or amendment.

3 (c) The effect that the revision or amendment may have on the  
4 health, safety, and welfare of the public.

5 (d) The economic reasonableness and financial impact of the  
6 revision or amendment.

7 (e) The technical feasibility of the revision or amendment.

8 (8) The advisory committee shall vote publicly and by roll  
9 call on each proposed revision or amendment brought before the  
10 committee. Revisions or amendments may be voted on individually or  
11 in groups. A majority of committee members present and casting  
12 votes are needed to approve any revision or amendment. All votes  
13 must be posted on the department's website not more than 48 hours  
14 after each meeting.

15 (9) The director shall consider all submissions and  
16 recommendations provided by an advisory committee. However, the  
17 director has final authority for the promulgation of the code.

18 (10) A member of the advisory committee may participate in an  
19 advisory committee meeting in person or through use of electronic  
20 or telephonic means, as determined by the director.

21 (11) ~~(5)~~ The director shall add, amend, and rescind rules to  
22 update the Michigan building code, the Michigan mechanical code,  
23 the Michigan plumbing code, the Michigan rehabilitation code for  
24 existing buildings, the Michigan electrical code, and the  
25 commercial chapters of the Michigan energy code not less than ~~one~~  
26 **1 time** every 3 years to coincide with the national code change  
27 cycle.

28 (12) ~~(6) Within 90 days after the effective date of the 2012~~  
29 ~~act that amended this section, the director shall begin the process~~

~~to add, amend, or rescind rules to update the 2009 Michigan~~  
~~residential code, including the residential energy code chapter.~~  
 Commencing with the 2015 national code change cycle, the director  
 shall add, amend, and rescind rules to simultaneously update all  
 chapters of the Michigan residential code not less frequently than  
~~once-1 time~~ every 6 years or more frequently than ~~once-1 time~~ every  
 3 years, as ~~the director determines is appropriate.~~ **determined by**  
**the director.** Not more than 200 days after the printed publication  
 of the latest edition of the ~~international residential code~~  
**International Residential Code** book is made available to the  
 general public, the director shall hold a public meeting in Lansing  
 and offer persons an opportunity to present data and comments on  
 the general need to update the Michigan residential code. The  
 department shall give 30 days' advance notice of a meeting under  
 this subsection on the department's website. Not more than 30 days  
 after the meeting, the director shall issue a written determination  
 whether to update the Michigan residential code. The department  
 shall post notice of the determination on its website for ~~at least~~  
**not less than** 45 days.

**(13)** ~~(7)~~—If the director makes the determination not to update  
 the Michigan residential code, a person may, ~~within~~ **not later than**  
 45 days after the determination, request the director to promulgate  
 a rule to amend a section or sections of the Michigan residential  
 code. ~~Within~~ **Not later than** 90 days after the filing of a request,  
 the director shall initiate the processing of a rule or ~~shall~~ issue  
 to the requestor a concise written statement of the principal  
 reasons for denial of the request and post the denial statement on  
 the department's website until the Michigan residential code is  
 next updated. The denial of the request is not subject to judicial

1 review.

2       **(14)** ~~(8)~~ Before the Michigan building code, the Michigan  
 3 residential code, the Michigan plumbing code, the Michigan  
 4 mechanical code, the Michigan ~~uniform~~-energy code, and the Michigan  
 5 rehabilitation code **for an existing building** may be enforced, the  
 6 director shall make each Michigan-specific code available to the  
 7 general public for ~~at least~~ **not less than** 45 days in printed,  
 8 electronic, or other form that does not require the user to  
 9 purchase additional documents or data in any form in order to have  
 10 an updated complete version of each specific code, excluding other  
 11 referenced standards within each code. This subsection does not  
 12 apply to any code effective before April 1, 2005. If the Michigan  
 13 residential code is updated on a 6-year cycle, then use of a  
 14 material, product, method of manufacture, or method or manner of  
 15 construction or installation provided for in an interim edition of  
 16 the ~~international residential code~~ **International Residential Code**  
 17 is authorized throughout this state and ~~shall be~~ **is** permitted, but  
 18 ~~shall~~ **must** not be mandated, by an enforcing agency or its building  
 19 official or inspectors. However, the enforcing agency or its  
 20 building official or inspectors may require that if such a  
 21 material, product, method of manufacture, or method or manner of  
 22 construction or installation provided for in an interim edition of  
 23 the ~~international residential code~~ **International Residential Code**  
 24 is used, the use ~~shall~~ **must** comply with all applicable requirements  
 25 set forth in the interim edition of the ~~international residential~~  
 26 ~~code~~ **International Residential Code**.

27       **(15) As used in this section:**

28       **(a) "Office of climate and energy" means the office of climate**  
 29 **and energy of the department of environment, Great Lakes, and**



1 energy.

2 (b) "State housing development authority" means the Michigan  
3 state housing development authority created under section 21 of the  
4 state housing development authority act of 1966, 1966 PA 346, MCL  
5 125.1421.