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REGULATE SCHOOL CONSTRUCTION UNDER STATE CONSTRUCTION CODE

House Bill 5654

Sponsor: Rep. George Mans

**Committee: Labor and Occupational
Safety**

Complete to 3-23-98

A SUMMARY OF HOUSE BILL 5654 AS INTRODUCED 3-11-98

The bill would, generally, bring school buildings under the State Construction Code Act, which is administered by the Department of Consumer and Industry Services (which now includes the former Department of Labor, which used to administer the act) and would repeal the school building construction act (Public Act 306 of 1937). The responsibility for administering and enforcing the code would lie with the director of the Bureau of Construction Codes in the Department of Consumer and Industry Services (DCIS), unless he or she had delegated this responsibility to the applicable local enforcing agency (this delegation could occur either under the act's current provision allowing local subdivisions of government to exempt themselves from the code by adopting and enforcing a nationally recognized model building code or if both the school board and the governing body of the local governmental subdivision certified to the construction code commission that full-time code officials, inspectors, and plan reviewers registered under the Building Officials and Inspectors Registration Act would conduct plan reviews and inspections of school buildings). The bill also would delete a current provision requiring the concurrence by the relevant school authorities before locally adopted codes can apply to schools.

If there was no delegation of responsibility, then the Bureau of Construction Codes would perform all school building plan reviews and inspections required by the State Construction Code Act. A school building could not be constructed, remodeled, or reconstructed after the effective date of the bill until written approval of the plans and specifications had been obtained from the bureau indicating that the school building would be designed and constructed in conformance with the State Construction Code Act. (This would not apply to a school building for which construction had begun before the effective date of the bill.) The bill would not affect the state fire marshal's responsibilities under the Fire Prevention Code. The bill would define "school construction" to mean a structure in which six or more pupils received instruction. The term also would apply to a structure owned, leased, or under the control of a public or private K to 12 school system or a community college or junior college. The definition would not include a "dwelling unit" or a structure owned, leased, or under the control of a college or university.

MCL 125.1502 et al.

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