

EXEMPT CERTAIN SCHOOL SPORTS FACILITIES FROM HEATING REQUIREMENTS

Phone: (517) 373-8080
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Senate Bill 294 (H-3) as reported from House committee
Sponsor: Sen. Dale W. Zorn
1st House Committee: Regulatory Reform
2nd House Committee: Ways and Means
Senate Committee: Regulatory Reform
Complete to 6-19-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 294 would amend the Stille-DeRossett-Hale Single State Construction Code Act (the Michigan Construction Code) to exempt the following for K-12 schools from any heating requirements in the act or the Construction Code:

- An interior space intended for use as a viewing area at an outdoor sporting facility or event that has a total aggregate area of 500 square feet or less, including a press box.
- A building, structure, or room that is incidental to an outdoor sporting activity or event, including a ticket booth, concession stand, participant meeting room, or restroom facility.

If heating were installed in an interior space, building, or structure that was exempted from heating requirements as described above, the heating installed would have to be in full compliance with the act and the Construction Code.

The bill would not apply to an interior space, building, or structure that was an existing interior space, building, or structure on the date the bill took effect.

Proposed MCL 125.1513h

BACKGROUND:

The Michigan Construction Code consists of the International Building Code (IBC) and several other international and national codes relating to the building trades, including the International Mechanical Code. Michigan's Construction Code authorizes the director of the Department of Licensing and Regulatory Affairs (LARA) to adopt all or any part of the international and national building codes or the standards contained within the codes by reference. The International Building Code was updated in 2015, with the provisions taking effect in Michigan on April 20, 2017.

BRIEF DISCUSSION:

According to testimony in the House Committee on Regulatory Reform, the bill was initiated in response to a construction project by the Madison School District to build a new press box at its football stadium and track.¹ Reportedly, LARA determined that the project was subject

¹ <https://www.lenconnect.com/news/20190507/zorn-and-kahle-introduce-bills-to-help-madison-school-district>

to certain requirements of the Construction Code. The school would have to go through an extensive appeals process based on its contention that the structure should not be held to those standards, and school officials have argued that the timeline for that process—or, alternatively, the cost of compliance—is prohibitive. (According to committee testimony, the structure in question is a 3,100 square foot two-story masonry structure that includes restrooms, team rooms, a press box area, and an audiovisual room.)

HOUSE COMMITTEE ACTION:

As passed by the Senate, SB 294 also contained language that would exempt press boxes from accessible route requirements under the Michigan Construction Code. The H-3 substitute reported from the House Committee on Ways and Means does not contain that language. The H-3 substitute adds to the proposed heating exemption the stipulation that any heating that is installed must comply with the act and the Construction Code and the provision limiting application of the exemption to spaces, buildings, or structures not yet existing.

FISCAL IMPACT:

The bill would have no fiscal impact on the state, but local units of government could realize reduced costs to the extent that they are exempt from requirements in the Stille-DeRossett-Hale Single State Construction Code Act.

POSITIONS:

The following entities indicated support for the bill:

- Michigan Association of School Boards (6-13-19)
- Michigan Association of Secondary School Principals (6-13-19)
- Barry, Branch, Calhoun, Jackson, Lenawee, and Monroe ISDs (6-13-19)
- Home Builders Association of Michigan (6-19-19)
- Michigan Association of Superintendents and Administrators (6-19-19)

The following entities indicated opposition to the bill (6-19-19):

- Michigan Building Trades
- Michigan Plumbers and Pipefitters
- Michigan Sheet Metal Workers' International Association
- Michigan Laborers' District Council
- Operating Engineers 324
- Michigan Regional Council of Carpenters
- International Brotherhood of Electrical Workers – Michigan State Conference

Legislative Analyst: Jenny McInerney
Fiscal Analysts: Samuel Christensen
Jacqueline Mullen

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