



Senate Fiscal Agency
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Senate Bill 294 (Substitute H-3 as passed by the House)
Sponsor: Senator Dale W. Zorn
Senate Committee: Regulatory Reform
House Committee: Regulatory Reform
Ways and Means

Date Completed: 7-16-19

RATIONALE

The Single State Construction Code Act contains provisions relating to the construction, alteration, demolition, occupancy, and use of buildings and structures in the State. The Director of the Michigan Department of Licensing and Regulatory Affairs (LARA) is required to prepare and promulgate the State Construction Code consisting of rules governing things such as the construction, use, and occupation of buildings and structures. The Code must consist of, among other things, the International Residential Code, the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Existing Building Code, and the International Energy Conservation Code published by the International Code Council. The Director may adopt all or any part of those Codes or the standards contained within those Codes by reference.

Reportedly, a school district plans to build a new press box facility at its football stadium and track. The facility plans were submitted to LARA's Bureau of Construction Codes for approval. Evidently, after applying the respective codes listed above, LARA is requiring the facility to include a heating unit. Some believe that this is unnecessary, as the facility would be used during warmer months and too infrequently to justify the costs associated with heating the facility year-round. In an effort to save Michigan school districts from having to spend more time and money constructing certain K-12 sport-related facilities, it has been suggested that those facilities be exempted from the Act's heating requirements.

CONTENT

The bill would amend the Single State Construction Code Act to do the following:

- **Exempt certain outdoor sporting event viewing facilities, such as a press box, and related buildings, such as a ticket booth or concession stand, for K-12 schools from heating requirements provided under the Act or Code.**
- **Require the heating to be in full compliance with the Act or Code if it were installed in an interior space, building, or structure that otherwise was exempt from the heating requirements of the Act or Code.**
- **Specify that the bill would not apply to an interior space, building, or structure that was an existing interior space, building, or structure on the bill's effective date.**

Specifically, notwithstanding any other provision of the Act or the Code and subject to the bill, the following would be exempt for K-12 schools from any heating requirements provided by the Act or Code:

- An interior space intended for use as a viewing area at an outdoor sporting activity or event that had a total aggregate area of 500 square feet or less, including a press box.

- A building, structure, or room that was incidental to an outdoor sporting activity or event, including a ticket booth, concession stand, participant meeting room, or restroom facility.

If the heating were installed in an interior space, building, or structure that was otherwise exempt from the heating requirements of the Act or Code, the heating would have to be in full compliance with the Act or Code.

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

Proposed MCL 125.1513h

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Certain sport-related K-12 facilities, such as press boxes overlooking a football field and track, are not used in the winter and should not have to be heated. According to testimony provided before the Senate Committee on Regulatory Reform, a heating system for the press box project would cost the Madison School District an additional \$250,000. This expense cannot be justified for a facility that would be used during months when heating would not be necessary. The money spent on a heating unit would be wasteful and could be spent on other educational facilities or needs. By exempting the K-12 facilities described under the bill from the Act's heating requirements, the bill would save school districts from having to spend money unnecessarily and would ensure accelerated construction of future K-12 sport-related facilities.

Opposing Argument

It would not be responsible for the State to change its construction requirements for the benefit of one project in the Madison School District. Michigan's construction requirements are designed to protect and benefit the people who will be occupying a building after its construction. The bill would set a bad precedent and would reduce the safety of future Michigan K-12 sport-related facilities.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.