

SUBSTITUTE FOR
SENATE BILL NO. 805

A bill to amend 1937 PA 306, entitled

"An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act,"

by amending the title and section 1 (MCL 388.851) and by adding section 1b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

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An act to promote the safety, welfare, and educational

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interests of the people of the state of Michigan by regulating

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the construction, reconstruction, and remodeling of certain

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1 public or private school buildings or additions ~~thereto~~ TO SUCH
2 BUILDINGS, by regulating the construction, reconstruction, and
3 remodeling of buildings leased or acquired for school purposes,
4 and to define the class of buildings affected by this act; to
5 prescribe the powers and duties of ~~the superintendent of public~~
6 ~~instruction, the state fire marshal, architects, engineers and~~
7 ~~school board members with respect thereto~~ CERTAIN STATE AGENCIES
8 AND OFFICIALS; to prescribe penalties for the violation of this
9 act; and to repeal ~~all acts and parts of acts, general, local~~
10 ~~and special, inconsistent with or contrary to the provisions of~~
11 ~~this act~~ ACTS AND PARTS OF ACTS.

12 Sec. 1. ~~No~~ A school building, public or private, or ANY
13 additions, ~~thereto,~~ shall NOT be erected, remodeled, or recon-
14 structed in ~~the~~ THIS state except ~~it be~~ in conformity with
15 ALL OF the following provisions:

16 (a) All plans and specifications for buildings shall be pre-
17 pared by, and the construction supervised by, an architect or
18 engineer who is registered in ~~the~~ THIS state. ~~of Michigan.~~
19 ~~Before the construction, reconstruction or remodeling of any~~
20 ~~school building or addition thereto is commenced, the written~~
21 ~~approval of the plans and specifications by the superintendent of~~
22 ~~public instruction or his authorized agent shall be obtained.~~
23 ~~The superintendent of public instruction or his authorized agent~~
24 ~~shall not issue such approval until he has secured in writing the~~
25 ~~approval of the state fire marshal, or the appropriate municipal~~
26 ~~official when certification as described in section 3 has been~~
27 ~~made, relative to factors concerning fire safety and of the~~

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1 ~~health department having jurisdiction relative to factors~~
2 ~~affecting water supply, sanitation and food handling.~~

3 ~~The superintendent of public instruction shall publish an~~
4 ~~informative bulletin which shall set forth good school building~~
5 ~~planning procedures and interpret clearly the provisions of this~~
6 ~~act. The bulletin shall be prepared in cooperation with the~~
7 ~~state fire marshal and the state health commissioner and, insofar~~
8 ~~as requirements for approval of plans are concerned, shall be~~
9 ~~consistent with recognized good practice as evidenced by stan-~~
10 ~~dards adopted by nationally recognized authorities in the fields~~
11 ~~of fire protection and health.~~

12 (b) All walls, floors, partitions, and roofs shall be con-
13 structed of fire-resisting materials such as stone, brick, tile,
14 concrete, gypsum, steel, or similar fire-resisting material. All
15 steel members shall be protected by at least 3/4 of an inch of
16 fire-resisting material.

17 (c) ~~No wood~~ WOOD lath or wood furring shall NOT be used IN
18 THE CONSTRUCTION. These regulations shall not be construed as
19 prohibiting the use of finished wood flooring, wood door and
20 window frames, wood sash, or wood furring and grounds, for the
21 purpose of installing wood trim, panelling, acoustical units, or
22 similar facing materials on masonry walls, structural steel, or
23 concrete ceiling members.

24 (d) Every room enclosing a heating unit shall be enclosed by
25 walls of fire-resisting materials and shall be equipped with
26 automatically closing fire doors. ~~; and said~~ ALL heating ~~unit~~
27 UNITS shall not be located directly beneath any portion of a

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1 school building or addition ~~thereto which~~ THAT is constructed
2 or reconstructed after ~~the effective date of this act~~ JULY 1,
3 2001. This regulation shall not be construed to require the
4 removal of an existing heating plant from beneath an existing
5 building when an addition to ~~such~~ THE building is constructed
6 unless ~~the state superintendent of public instruction or his~~
7 ~~authorized agent, acting jointly with the state fire marshal,~~
8 ~~shall so require~~ THE DEPARTMENT REQUIRES SUCH LOCATION in the
9 interests of the public safety. In any school where natural gas
10 or any other kind of gas is used for heating purposes, the gas
11 shall be chemically treated before being used in such a manner as
12 to give a very distinguishable odor if any leak should develop in
13 the heating system.

14 (e) In gymnasiums, fire-proofings may be omitted from the
15 trusses and purlins if they are more than 16 feet off the main
16 floor level.

17 (F) The architect or engineer shall provide adequate exits
18 from all parts of school buildings. In all cases, there shall be
19 at least 2 stairways and the distance from the door of any class
20 or assembly room to a stairway or exit shall not exceed 100
21 feet.

22 (G) ~~(f)~~ Provisions in subdivisions (b) to (e) may be
23 waived in writing by the ~~state fire marshal~~ DEPARTMENT.

24 (H) COMPLIANCE WITH SECTION 1B.

25 SEC. 1B. (1) EXCEPT AS PROVIDED IN SUBSECTION (5), THE
26 DEPARTMENT IS RESPONSIBLE FOR THE ADMINISTRATION AND ENFORCEMENT
27 OF THIS ACT AND THE STATE CONSTRUCTION CODE ACT OF 1972, 1972 PA

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1 230, MCL 125.1501 TO 125.1531, IN EACH SCHOOL BUILDING IN THIS
2 STATE.

3 (2) EXCEPT AS PROVIDED IN SUBSECTION (5), A SCHOOL BUILDING
4 SHALL NOT BE CONSTRUCTED, REMODELED, OR RECONSTRUCTED IN THIS
5 STATE AFTER JULY 1, 2001 UNTIL WRITTEN APPROVAL OF THE PLANS AND
6 SPECIFICATIONS IS OBTAINED FROM THE DEPARTMENT INDICATING THAT
7 THE SCHOOL BUILDING WILL BE DESIGNED AND CONSTRUCTED IN CON-
8 FORMANCE WITH THE CODE. THIS SUBSECTION DOES NOT APPLY TO ANY
9 SCHOOL BUILDING FOR WHICH CONSTRUCTION HAS COMMENCED BEFORE JULY
10 1, 2001.

11 (3) THE DEPARTMENT SHALL DEVELOP A PLAN FOR CONDUCTING
12 SAFETY INSPECTIONS OF SCHOOL BUILDINGS CONSTRUCTED, REMODELED, OR
13 RECONSTRUCTED IN THE STATE SINCE JANUARY 1, 1978, AND IMPLEMENT
14 THAT PLAN WITHIN 5 YEARS OF THE EFFECTIVE DATE OF THE AMENDATORY
15 ACT THAT ADDED THIS SECTION.

16 (4) EXCEPT AS PROVIDED IN SUBSECTION (5), THE DEPARTMENT
17 SHALL PERFORM FOR SCHOOL BUILDINGS ALL PLAN REVIEWS WITHIN 60
18 DAYS FROM THE DATE THE PLANS ARE FILED OR CONSIDERED APPROVED AND
19 INSPECTIONS WITHIN 5 BUSINESS DAYS AS REQUIRED BY THE CODE AND
20 SHALL BE THE ENFORCING AGENCY FOR THIS ACT.

21 (5) THE DEPARTMENT SHALL DELEGATE THE RESPONSIBILITY FOR THE
22 ADMINISTRATION AND ENFORCEMENT OF THIS ACT TO THE APPLICABLE
23 AGENCY IF BOTH THE SCHOOL BOARD AND THE GOVERNING BODY OF THE
24 GOVERNMENTAL SUBDIVISION HAVE ANNUALLY CERTIFIED TO THE DEPART-
25 MENT, IN A MANNER PRESCRIBED BY THE DEPARTMENT, THAT FULL-TIME
26 CODE OFFICIALS, INSPECTORS, AND PLAN REVIEWERS REGISTERED UNDER
27 THE BUILDING OFFICIALS AND INSPECTORS REGISTRATION ACT, 1986 PA

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1 54, MCL 338.2301 TO 338.2313, WILL CONDUCT PLAN REVIEWS AND
2 INSPECTIONS OF SCHOOL BUILDINGS.

3 (6) THIS SECTION DOES NOT AFFECT THE RESPONSIBILITIES OF THE
4 DEPARTMENT UNDER THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1
5 TO 29.34. THE BUREAU OF CONSTRUCTION CODES AND THE OFFICE OF
6 FIRE SAFETY IN THE DEPARTMENT SHALL JOINTLY DEVELOP PROCEDURES TO
7 USE THE PLANS AND SPECIFICATIONS SUBMITTED IN CARRYING OUT THE
8 REQUIREMENTS OF THIS ACT AND THE FIRE PREVENTION CODE, 1941 PA
9 207, MCL 29.1 TO 29.34. A CERTIFICATE OF OCCUPANCY SHALL NOT BE
10 ISSUED BY THE APPROPRIATE CODE ENFORCEMENT AGENCY UNTIL A CERTIF-
11 ICATE OF APPROVAL HAS BEEN ISSUED UNDER THE FIRE PREVENTION CODE,
12 1941 PA 207, MCL 29.1 TO 29.34.

13 (7) AS USED IN THIS SECTION:

14 (A) "CODE" MEANS THE STATE CONSTRUCTION CODE PROVIDED FOR IN
15 THE STATE CONSTRUCTION CODE ACT OF 1972, 1972 PA 230, MCL
16 125.1501 TO 125.1531.

17 (B) "CONSTRUCTION" SHALL HAVE THE SAME MEANING AS THAT TERM
18 IS DEFINED UNDER SECTION 2 OF THE STILLE-DEROSSETT-HALE SINGLE
19 STATE CONSTRUCTION CODE ACT, 1972 PA 230, MCL 125.1502.

20 (C) "DEPARTMENT" MEANS THE DEPARTMENT OF CONSUMER AND INDUS-
21 TRY SERVICES.

22 Enacting section 1. This amendatory act does not take
23 effect until July 1, 2001.