

# HOUSE BILL No. 5939

June 11, 1992, Introduced by Reps. Scott, Gire, Bartnik, DeBeaussaert, Porreca and Hollister and referred to the Committee on Social Services and Youth.

A bill to amend section 602 of Act No. 299 of the Public Acts of 1980, entitled as amended

"Occupational code,"

as amended by Act No. 83 of the Public Acts of 1981, being section 339.602 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 602 of Act No. 299 of the Public Acts of  
2 1980, as amended by Act No. 83 of the Public Acts of 1981, being  
3 section 339.602 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 602. (1) ~~—A~~ EXCEPT AS OTHERWISE PROVIDED IN  
6 SUBSECTION (2) OR (3), A person, school, or institution which  
7 violates a section of this act or a rule or order promulgated or  
8 issued under this act shall be assessed 1 or more of the  
9 following penalties:

1 (a) Placement of a limitation on a license or ~~certificate~~  
2 ~~of~~ registration for an occupation regulated under ~~articles 8 to~~  
3 ~~25~~ THIS ACT.

4 (b) Suspension of a license or ~~certificate of~~  
5 registration.

6 (c) Denial of a license ~~, certificate of~~ OR registration,  
7 or DENIAL OF THE renewal of a license or ~~certificate of~~  
8 registration.

9 (d) Revocation of a license or ~~certificate of~~  
10 registration.

11 (e) A civil fine to be paid to the department, not to exceed  
12 \$10,000.00.

13 (f) Censure.

14 (g) Probation.

15 (h) A requirement that restitution be made.

16 (2) SUBJECT TO SUBSECTION (3), UPON RECEIPT OF A NOTICE FROM  
17 THE OFFICE OF THE FRIEND OF THE COURT STATING THAT AN INDIVIDUAL  
18 LICENSEE IS AT LEAST 6 MONTHS IN ARREARS OF SUPPORT, THE BOARD  
19 SHALL SUSPEND THE LICENSE OR REGISTRATION OF AN INDIVIDUAL AFTER  
20 ALL OF THE FOLLOWING OCCUR:

21 (A) THE DEPARTMENT SENDS A NOTICE OF HEARING SCHEDULED NOT  
22 LESS THAN 30 DAYS AFTER THE DATE THE DEPARTMENT SENDS THE NOTICE  
23 OF HEARING TO THE INDIVIDUAL'S ADDRESS INDICATED IN THE  
24 DEPARTMENT'S RECORDS.

25 (B) THE LICENSEE FAILS TO PRESENT PROOF ACCEPTABLE TO THE  
26 BOARD THAT THE ARREARAGE HAS BEEN PAID.

1       (3) IF AT THE HEARING, THE BOARD DETERMINES THAT EXTREME  
2 HARDSHIP TO THE INDIVIDUAL OR PERSONS THE INDIVIDUAL SERVES WOULD  
3 BE CREATED BY THE SUSPENSION, THE BOARD SHALL NOT SUSPEND THE  
4 LICENSE OR REGISTRATION AND SHALL CONDITION THE HOLDING OF THE  
5 LICENSE OR REGISTRATION UPON COMPLIANCE WITH THE SUPPORT ORDER.

6       (4) THE ONLY ISSUES TO BE CONSIDERED BY THE BOARD ARE  
7 WHETHER THE INDIVIDUAL IS THE HOLDER OF A LICENSE OR REGISTRATION  
8 AND WHETHER THE INDIVIDUAL HAS PRESENTED PROOF ACCEPTABLE TO THE  
9 BOARD THAT ARREARAGE HAS BEEN PAID.