



Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

OCCUPATIONS/UNLICENSED PERSON

House Bills 5098 - 5100
Sponsor: Rep. Thomas C. Mathieu
Committee: Judiciary

Complete to 11-8-93

A SUMMARY OF HOUSE BILLS 5098-5100 AS INTRODUCED 10-13-93

In general, the bills would increase penalties for practicing a regulated occupation without a required license or registration, and would provide additional remedies for persons (including boards of regulated occupations) affected by unlicensed activity. None of the bills could take effect unless all were enacted.

House Bill 5098 would amend the State License Fee Act (MCL 338.2203) to specify that fees collected under the act, which are credited to the general fund, be appropriated for the administration and enforcement of the Occupational Code and the Public Health Code.

House Bill 5099 would amend the Public Health Code (MCL 333.2255 and 333.16296) to specify that in addition to any other remedy, an affected person (including a health profession board or association of practitioners) could obtain an injunction or restraining order to prevent a person from doing any of the following: practicing a health profession without a required license or registration, improperly using a protected title, or aiding and abetting another in practicing a health profession without a license or registration.

Maximum allowable fines for improper use of a title, which is and would remain a misdemeanor, would be increased. For a first offense, the maximum fine would be increased from \$100 to \$5,000. For a second or subsequent offense, the law specifies a minimum fine of \$300 and a maximum of \$1,000; the bill would eliminate the minimum fine and increase the maximum to \$10,000. Incarceration penalties would remain unchanged: a maximum of 90 days for a first offense, and, for a second or subsequent offense, a minimum of 60 days up to a maximum of one year.

House Bill 5100 would amend the Occupational Code (MCL 330.601) to specify that in addition to any other remedy, an affected person (including a board of a regulated occupation) could obtain an injunction or restraining order to prevent a person from practicing a regulated occupation or using a protected title without having a required license or registration.

Maximum allowable fines for failing to be licensed or registered, which is and would remain a misdemeanor, would be increased: from \$500 to \$5,000 for a first offense, and from \$1,000 to \$10,000 for a second or subsequent offense. Maximum allowable jail terms would remain unchanged, at 90 days for a first offense, and one year for a second or subsequent offense.

House Bills 5098-5100 (11-8-93)