



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 53 (as introduced 1-23-03)

Sponsor: Senator Wayne Kuipers

Committee: Economic Development, Small Business and Regulatory Reform

Date Completed: 6-15-04

### **CONTENT**

**The bill would amend the Occupational Code to exclude people performing certain activities involving landscape architecture from the definitions of "residential builder" and "residential maintenance and alteration contractor".**

Under the Code, a person must have a license in order to engage in the business of a residential builder or a residential maintenance and alteration contractor (subject to certain exceptions). The bill specifies that the term "residential builder" would not include a person who does any of the following:

- Provides or installs concrete or clay pavers, bricks, wood, plastic, aggregates, polyesters, blocks, or natural or artificial stone for purposes of commercial or residential patios, walkways, driveways, retaining or decorative walls, terraces, gazebos, arbors, lattice, seawalls, or planters.
- Constructs planters or other walls not exceeding 24 inches above grade if no mortar, concrete, or adhesive is used in the process.
- Constructs freestanding improvements or structures not attached to a building, home, garage, office building, or swimming pool.

The bill also would amend the definition of "residential maintenance and alteration contractor" to exclude a person who performs work involving those activities.

Under the Code, a residential maintenance and alteration contractor's license must specify certain crafts and trades, including masonry. The bill would refer to masonry work other than the activities described above.

MCL 339.2401 & 339.2404

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

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

Fiscal Analyst: Maria Tyszkiewicz

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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.