

**SUBSTITUTE FOR
HOUSE BILL NO. 5432**

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 411 (MCL 339.411), as amended by 2002 PA
611.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 411. (1) Subject to subsection (2), a person who fails
2 to renew a license or registration on or before the expiration
3 date shall not practice the occupation, operate, or use the title
4 after the expiration date printed on the license or
5 registration. A license or registration shall lapse on the day
6 after the expiration date.
7 (2) A person who fails to renew a license or registration on
8 or before the expiration date shall be permitted to renew the
9 license or registration by payment of the required license or
10 registration fee and a late renewal fee within 60 days after the

1 expiration date.

2 (3) Except as otherwise provided in this act, a person who
3 fails to renew a license or registration within the time period
4 set forth in subsection (2) may be relicensed or reregistered
5 without examination and without meeting additional education or
6 training requirements in force at the time of application for
7 relicensure or reregistration if all of the following conditions
8 are met:

9 (a) The person applies within 3 years after the expiration
10 date of the last license or registration.

11 (b) The person pays an application processing fee, the late
12 renewal fee, and the per year license or registration fee for the
13 upcoming licensure or registration period.

14 (c) Penalties and conditions imposed by disciplinary action
15 in this state or any other jurisdiction have been satisfied.

16 (d) The person submits proof of having completed the
17 equivalent of 1 year of continuing education within the 12 months
18 immediately preceding the date of application or as otherwise
19 provided in a specific article or by rule, if continuing
20 education is required of licensees or registrants under a
21 specific article.

22 (4) Except as otherwise provided in this act, a person may be
23 relicensed or reregistered subsequent to 3 or more years after
24 the expiration date of the last license or registration upon
25 showing that the person meets the requirements for licensure or
26 registration as established by the department in rules or
27 procedures which may require a person to pass all or part of a

1 required examination, to complete continuing education
2 requirements, or to meet current education or training
3 requirements.

4 (5) Unless otherwise provided in this act, a person who seeks
5 reinstatement of a license or registration shall file an
6 application on a form provided by the department, pay the
7 application processing fee, and file a petition to the department
8 and the appropriate board stating reasons for reinstatement and
9 including evidence that the person can and is likely to serve the
10 public in the regulated activity with competence and in
11 conformance with all other requirements prescribed by law, rule,
12 or an order of the department or board. The procedure to be
13 followed in conducting the review of a petition for reinstatement
14 is prescribed in article 5. If approved for reinstatement, the
15 person shall pay the per year license or registration fee for the
16 upcoming license or registration period, in addition to
17 completing any requirements imposed in accordance with section
18 203(2).

19 (6) Notwithstanding any provision in this act to the
20 contrary, an individual or qualifying officer who is a licensee
21 or registrant under this act and who is on active duty in the
22 armed forces of the United States in an area designated as a
23 combat zone by the president of the United States is temporarily
24 exempt from the renewal license fee, continuing education
25 requirements, and any other related requirements of this act. It
26 is the obligation of the licensee or registrant to inform the
27 department by written or electronic mail of the desire to

1 exercise the temporary exemption under this subsection. If the
2 licensee applying for the temporary exemption is the individual
3 responsible for supervision and oversight of licensed activities,
4 notice of arrangements for adequate provision of that supervision
5 and oversight shall be provided to the department. The licensee
6 or registrant shall accompany the request with proof, as
7 determined by the department, to verify the active duty status.
8 The department, upon receiving a request for a temporary
9 exemption under this subsection, shall make a determination of
10 the requestor's status and grant the temporary exemption after
11 verification of active duty status under this subsection. A
12 temporary exemption is valid until 90 days after the licensee's
13 or registrant's release from the active duty upon which the
14 exemption was based, but shall not exceed 36 months from the date
15 of expiration of the license or registration.