

SENATE BILL No. 680

September 16, 2003, Introduced by Senators SANBORN and GARCIA and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 2404 (MCL 339.2404), as amended by 1988 PA
463.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2404. (1) The department may require an applicant,
2 licensee, or each partner, trustee, director, officer, member, or
3 shareholder to submit evidence of good moral character and
4 financial stability. Before the issuance of a license, an
5 applicant shall submit any amount required to be paid under the
6 construction lien act, ~~Act No. 497 of the Public Acts of 1980,~~
7 ~~being sections 570.1101 to 570.1305 of the Michigan Compiled~~
8 ~~Laws~~ 1980 PA 497, MCL 570.1101 to 570.1305.

9 (2) The department shall require an applicant for a license
10 to pass an examination establishing that the applicant has a fair

1 knowledge of the obligations of a residential builder or
2 residential maintenance and alteration contractor to the public
3 and the applicant's principal, and the statutes relating to the
4 applicant's licensure.

5 (3) The department, upon application, may issue a residential
6 maintenance and alteration contractor's license to an applicant
7 who, upon examination, qualifies for a license, which shall
8 authorize the licensee according to the applicant's
9 qualifications, crafts, and trades to engage in the activities of
10 a residential maintenance and alteration contractor. A license
11 shall include the following crafts and trades: carpentry;
12 concrete; **concrete and asphalt driveway construction**; swimming
13 pool installation; waterproofing a basement; excavation;
14 insulation work; masonry work; painting and decorating; roofing;
15 siding and gutters; screen or storm sash installation; tile and
16 marble work; and house wrecking. The license shall specify the
17 particular craft or trade for which the licensee has qualified.
18 This subsection ~~shall~~ **does** not prohibit a specialty contractor
19 from taking and executing a contract involving the use of 2 or
20 more crafts or trades if the performance of the work in the craft
21 or trade, other than in which the person is licensed, is
22 incidental and supplemental to the performance of work in the
23 craft for which the specialty contractor is licensed.

24 (4) A residential builder or residential maintenance and
25 alteration contractor shall maintain a place of business in this
26 state. If a **licensed** residential builder or residential
27 maintenance and alteration contractor maintains more than 1 place

1 of business within this state, **the department shall issue** a
2 branch office license ~~shall be issued~~ to the builder or
3 contractor for each place of business so maintained.