

Act No. 87
Public Acts of 2003
Approved by the Governor
July 21, 2003
Filed with the Secretary of State
July 23, 2003
EFFECTIVE DATE: July 23, 2003

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Senators Brater, Scott, Jacobs, Bernero and Leland

ENROLLED SENATE BILL No. 431

AN ACT to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments," by amending sections 11, 13, 15, 17, 21, 23, 25, 27, 29, 31, 37, 38, 39, 43, 49, and 62 (MCL 338.2211, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, 338.2249, and 338.2262), sections 11, 13, 15, 17, 21, 23, 29, 31, 39, 43, 49, and 62 as amended by 1988 PA 461, section 25 as amended by 1997 PA 98, section 27 as amended by 1992 PA 252, section 37 as amended by 2002 PA 623, and section 38 as amended by 1999 PA 171.

The People of the State of Michigan enact:

Sec. 11. Fees for a person certified, registered, or licensed or seeking certification, registration, or licensure to engage in the practice of public accounting, under article 7 of the occupational code, MCL 339.720 to 339.736, are as follows:

(a) Application processing fee	\$ 35.00
(b) License to practice and registration of certificate, per year as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007.....	25.00
(ii) Beginning October 1, 2003 through September 30, 2007	40.00
(c) Registration:	
(i) Individual's registration of certificate, per year as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	10.00
(B) Beginning October 1, 2003 through September 30, 2007	15.00
(ii) Firm or corporation, per year as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	25.00
(B) Beginning October 1, 2003 through September 30, 2007	35.00
(iii) Each branch office, per year	25.00
(d) Permit for temporary practice	15.00

Sec. 13. (1) Fees for a person licensed or seeking licensure as an architect under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

(a) Application processing	\$ 30.00
(b) Supplemental application processing	20.00
(c) License fee, per year	35.00

(2) Fees for a person licensed or seeking licensure as a professional engineer under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

(a) Application processing fee as follows:

(i) If paid through September 30, 2003 or after September 30, 2007.....	\$ 30.00
(ii) Beginning October 1, 2003 through September 30, 2007	35.00
(b) Supplemental application processing fee	20.00

(c) License fee, per year as follows:

(i) If paid through September 30, 2003 or after September 30, 2007.....	20.00
(ii) Beginning October 1, 2003 through September 30, 2007	40.00

(3) Fees for a person licensed or seeking licensure as a land surveyor under article 20 of the occupational code, MCL 339.2001 to 339.2014, are as follows:

(a) Application processing fee as follows:

(i) If paid through September 30, 2003 or after September 30, 2007.....	\$ 30.00
(ii) Beginning October 1, 2003 through September 30, 2007	35.00
(b) Supplemental application processing fee	20.00

(c) Examination fees:

(i) Complete examination.....	110.00
(ii) Part 1 of the examination (fundamentals).....	55.00
(iii) Part 2a of the examination (principles and practice).....	45.00
(iv) Part 2b of the examination (Michigan practice).....	40.00
(d) Examination review	20.00
(e) License fee, per year	50.00

Sec. 15. Fees for a person registered or seeking registration as a landscape architect under article 22 of the occupational code, MCL 339.2201 to 339.2211, are as follows:

(a) Application processing fee as follows:

(i) If paid through September 30, 2003 or after September 30, 2007.....	\$ 30.00
(ii) Beginning October 1, 2003 through September 30, 2007	35.00
(b) Supplemental application processing fee	20.00

(c) Examination fees:

(i) Complete examination.....	265.00
(ii) Section 1 of the examination	25.00
(iii) Section 2 of the examination	35.00
(iv) Section 3 of the examination.....	100.00
(v) Section 4 of the examination	125.00
(d) Examination review	25.00
(e) Registration fee, per year.....	40.00

Sec. 17. (1) Fees for a person licensed or seeking licensure as a barber, student barber, student instructor, or barber instructor, for a person licensed or seeking licensure to operate a barbershop or barber college, or for a person seeking a permit for a demonstration or a demonstrator's permit under article 11 of the occupational code, MCL 339.1101 to 339.1118, are as follows:

(a) Application processing fees:

(i) Student barber as follows:

(A) If paid through September 30, 2003 or after September 30, 2007.....	\$ 15.00
(B) Beginning October 1, 2003 through September 30, 2007	20.00

(ii) Barber as follows:

(A) If paid through September 30, 2003 or after September 30, 2007.....	15.00
(B) Beginning October 1, 2003 through September 30, 2007	20.00

(iii) Student instructor as follows:

(A) If paid through September 30, 2003 or after September 30, 2007.....	15.00
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(B) Beginning October 1, 2003 through September 30, 2007	20.00
(iv) Barber instructor as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	15.00
(B) Beginning October 1, 2003 through September 30, 2007	20.00
(v) Barbershop as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	40.00
(B) Beginning October 1, 2003 through September 30, 2007	50.00
(vi) Barber college as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	50.00
(B) Beginning October 1, 2003 through September 30, 2007	75.00
(b) Examination fees:	
(i) Complete barber examination	75.00
(A) Written portion only	35.00
(B) Practical portion only	45.00
(ii) Complete instructor examination	75.00
(A) Written portion only	35.00
(B) Practical portion only	45.00
(c) Examination review	20.00
(d) License fees, per year:	
(i) Student barber as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	15.00
(B) Beginning October 1, 2003 through September 30, 2007	30.00
(ii) Barber as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	15.00
(B) Beginning October 1, 2003 through September 30, 2007	30.00
(iii) Student instructor as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	15.00
(B) Beginning October 1, 2003 through September 30, 2007	30.00
(iv) Barber instructor as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	25.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(v) Barbershop as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	30.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(vi) Barber college	150.00
(e) Demonstrator's temporary permit as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	10.00
(ii) Beginning October 1, 2003 through September 30, 2007	15.00
(f) Demonstration temporary permit as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	10.00
(ii) Beginning October 1, 2003 through September 30, 2007	15.00

Sec. 21. Fees for a person licensed or seeking licensure to operate a collection agency or to be a collection agency manager under article 9 of the occupational code, MCL 339.901 to 339.920, are as follows:

(a) Application processing fees:	
(i) Agency nonowner manager as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	\$ 25.00
(B) Beginning October 1, 2003 through September 30, 2007	35.00
(ii) Agency	100.00

(b) Examination fee	50.00
(c) Examination review fee	20.00
(d) License fee, per year:	
(i) Agency nonowner manager.....	50.00
(ii) Agency.....	125.00

Sec. 23. Fees for a person registered or seeking registration as a professional community planner under article 23 of the occupational code, MCL 339.2301 to 339.2310, are as follows:

(a) Application processing fee as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007.....	\$ 30.00
(ii) Beginning October 1, 2003 through September 30, 2007	35.00
(b) Supplemental application processing fee	20.00
(c) Examination fee; Michigan portion	100.00
(d) Examination review	25.00
(e) Registration fee, per year.....	50.00

Sec. 25. Fees for a person licensed or seeking licensure as a cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor or a person licensed or seeking licensure to operate a cosmetology establishment or school of cosmetology, seeking a student registration or transfer, or seeking a permit to conduct an apprenticeship program under article 12 of the occupational code, MCL 339.1201 to 339.1218, are as follows:

(a) Application processing fees:	
(i) Apprenticeship program.....	\$ 25.00
(ii) Cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	10.00
(B) Beginning October 1, 2003 through September 30, 2007	15.00
(iii) Cosmetology establishment.....	25.00
(iv) School of cosmetology	100.00
(b) Examination fees:	
(i) Complete examination for cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor	25.00
(ii) Written portion only	15.00
(iii) Practical portion only	15.00
(iv) Examination review	20.00
(c) License fees, per year:	
(i) Cosmetologist, manicurist, natural hair culturist, esthetician, electrologist, or instructor as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	12.00
(B) Beginning October 1, 2003 through September 30, 2007	24.00
(ii) Cosmetology establishment	25.00
(iii) School of cosmetology.....	100.00
(d) Student registration or transfer fee as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007.....	5.00
(ii) Beginning October 1, 2003 through September 30, 2007	15.00

Sec. 27. Fees for a person licensed or seeking licensure as an employment or consulting agent or for a person licensed or seeking licensure to operate a personnel agency under article 10 of the occupational code, MCL 339.1001 to 339.1022, are as follows:

(a) Application processing fees:	
(i) Personnel agency	\$ 225.00
(ii) Employment or consulting agent.....	30.00
(iii) Officer or stockholder change	25.00
(b) Examination fee	50.00

(c) Examination review	20.00
(d) License fee, per year:	
(i) Personnel agency	125.00
(ii) Employment or consulting agent as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	30.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00

Sec. 29. Fees for a person registered or seeking registration as a forester under article 21 of the occupational code, MCL 339.2101 to 339.2108, are as follows:

(a) Application processing fee	\$ 50.00
(b) Registration fee, per year as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	25.00
(ii) Beginning October 1, 2003 through September 30, 2007	40.00

Sec. 31. Fees for a person licensed or seeking licensure as a hearing aid dealer, salesperson, or trainee under article 13 of the occupational code, MCL 339.1301 to 339.1309, are as follows:

(a) Application processing fees:	
(i) Dealer	\$ 20.00
(ii) Salesperson	20.00
(iii) Trainee	10.00
(b) Examination fees:	
(i) Complete dealer examination	100.00
(ii) Dealer examination, per part	35.00
(iii) Complete salesperson examination	100.00
(iv) Salesperson examination, per part	30.00
(c) Examination review	20.00
(d) License fees, per year:	
(i) Dealer	80.00
(ii) Salesperson	50.00
(iii) Trainee as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	20.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00

Sec. 37. (1) Fees for a person licensed or seeking licensure as a real estate broker, associate broker, salesperson, or branch office or seeking other licenses or approvals issued under article 25 of the occupational code, MCL 339.2501 to 339.2518, are as follows:

(a) Application processing fees:	
(i) Brokers and associate brokers as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	\$ 20.00
(B) Beginning October 1, 2003 through September 30, 2007	35.00
(ii) Salespersons	10.00
(iii) Branch office	10.00
(b) License fees, per year:	
(i) Brokers and associate brokers	36.00
(ii) Salespersons	26.00
(c) Branch office fee, per year as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	10.00
(ii) Beginning October 1, 2003 through September 30, 2007	20.00
(d) Sale of out of state property:	
(i) Application to sell	20.00

(ii) Property registration.....	500.00
(iii) Renewal of approval to sell	20.00

(2) A fee shall not be required for the registration of property approved under the land sales act, 1972 PA 286, MCL 565.801 to 565.835.

(3) The real estate education fund is established in the state treasury and shall be administered by the department. Fifteen dollars of each license fee received by the department under subsection (1)(b) during that 3-year license cycle shall be deposited with the state treasurer to the credit of the real estate education fund. The department shall utilize the real estate education fund only for the operation of departmental programs related to education required of all licensees or applicants for licensure under article 25 of the occupational code, MCL 339.2501 to 339.2518. Any unexpended balance in the real estate education fund at the end of a fiscal year shall carry forward to the next fiscal year.

(4) The real estate enforcement fund is created in the state treasury and shall be administered by the department. Beginning October 1, 2003, \$15.00 of each license fee received by the department under subsection (1)(b) during that 3-year license cycle shall be deposited into the real estate enforcement fund. The department shall utilize the real estate enforcement fund only for the enforcement of article 25 of the occupational code, MCL 339.2501 to 339.2518, regarding unlicensed activity as further described in section 601(1) and (2) and to reimburse the attorney general for expenses incurred in conducting prosecutions of such unlicensed practice. Any unexpended balance in the real estate enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

Sec. 38. (1) Fees for an individual licensed or seeking licensure as a state licensed real estate appraiser, a certified general real estate appraiser, a certified residential real estate appraiser, or a limited real estate appraiser under article 26 of the occupational code, MCL 339.2601 to 339.2637, are as follows:

(a) Application processing fees:

(i) Certified general real estate appraiser as follows:

(A) If paid through September 30, 2003 or after September 30, 2007	\$ 25.00
(B) Beginning October 1, 2003 through September 30, 2007	\$ 35.00

(ii) Certified residential real estate appraiser as follows:

(A) If paid through September 30, 2003 or after September 30, 2007	\$ 25.00
(B) Beginning October 1, 2003 through September 30, 2007	\$ 35.00

(iii) State licensed real estate appraiser as follows:

(A) If paid through September 30, 2003 or after September 30, 2007	\$ 25.00
(B) Beginning October 1, 2003 through September 30, 2007	\$ 35.00

(iv) Limited real estate appraiser as follows:

(A) If paid through September 30, 2003 or after September 30, 2007	\$ 25.00
(B) Beginning October 1, 2003 through September 30, 2007	\$ 35.00

(b) Examination fees, if the department conducts its own examination:

(i) Certified general real estate appraiser.....	\$ 100.00
(ii) Certified residential real estate appraiser.....	\$ 100.00
(iii) State licensed real estate appraiser.....	\$ 100.00

(c) License fee, per year:

(i) Certified general real estate appraiser.....	\$ 175.00
(ii) Certified residential real estate appraiser.....	\$ 175.00
(iii) State licensed real estate appraiser.....	\$ 175.00
(iv) Limited real estate appraiser	\$ 125.00
(d) Temporary permit fee	\$ 125.00

(2) The license fee includes a fee imposed by the federal government under sections 1113 and 1114 of title XI of the financial institutions reform, recovery, and enforcement act of 1989, Public Law 101-73, 12 U.S.C. 3331 to 3351, for certified general real estate appraisers, certified residential real estate appraisers, and state licensed real estate appraisers, which shall not exceed \$50.00 per licensee and which the department shall collect and pay to the federal government pursuant to section 2637 of the occupational code, MCL 339.2637.

(3) The real estate appraiser education fund is established in the state treasury and shall be administered by the department. Ten dollars of each fee received under subsection (1)(c) shall be deposited with the state treasurer to the credit of the real estate appraiser education fund. The department shall utilize the real estate appraiser education fund only for the operation of departmental programs related to the education required of all licensees or applicants for

licensure under article 26 of the occupational code, MCL 339.2601 to 339.2637. Any unexpended balance in the real estate appraiser education fund at the end of a fiscal year shall carry forward to the next fiscal year.

Sec. 39. Fees for a person licensed or seeking licensure as a residential builder or residential maintenance and alteration contractor, salesperson, or branch office under article 24 of the occupational code, MCL 339.2401 to 339.2412, are as follows:

(a) Application processing fee.....	\$ 15.00
(b) Examination fees:	
(i) Complete builder or maintenance and alteration contractor examination.....	50.00
(ii) Law and rules portion	30.00
(iii) Practice or trades portion.....	30.00
(iv) Salesperson examination	30.00
(c) Examination review.....	20.00
(d) License fee, per year as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007.....	30.00
(ii) Beginning October 1, 2003 through September 30, 2007	40.00

Sec. 43. (1) Fees for a person licensed or seeking licensure to engage in the practice of mortuary science or to operate a funeral establishment or for a person licensed or seeking licensure as a resident trainee or licensed as an embalmer or funeral director under article 18 of the occupational code, MCL 339.1801 to 339.1812, are as follows:

(a) Application processing fees:	
(i) Mortuary science license	\$ 20.00
(ii) Funeral establishment license.....	115.00
(iii) Resident trainee	15.00
(b) Examination fees:	
(i) Complete examination.....	200.00
(ii) National examination only	150.00
(iii) State examination only.....	50.00
(c) Examination review.....	25.00
(d) License fees, per year:	
(i) Mortuary science as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	30.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(ii) Funeral establishment	55.00
(iii) Embalmer	30.00
(iv) Funeral director as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	30.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(v) Resident trainee as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	15.00
(B) Beginning October 1, 2003 through September 30, 2007	30.00

Sec. 49. Fees for a person licensed or seeking licensure as a professional boxer, professional wrestler, judge, manager, referee, timekeeper, announcer, second, boxing club, promoter, matchmaker, or physician for a boxing or wrestling contest or for a person licensed or seeking licensure to conduct a boxing or wrestling contest under article 8 of the occupational code, MCL 339.801 to 339.814, are as follows:

(a) Application processing fees:	
(i) Professional boxer license and passport as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	25.00
(B) Beginning October 1, 2003 through September 30, 2007	35.00
(ii) All other licenses as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007.....	15.00

(B) Beginning October 1, 2003 through September 30, 2007	30.00
(b) License fee, per year:	
(i) Professional boxer, professional wrestler, second as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	10.00
(B) Beginning October 1, 2003 through September 30, 2007	20.00
(ii) Judge, physician, announcer, timekeeper as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	15.00
(B) Beginning October 1, 2003 through September 30, 2007	30.00
(iii) Boxing club as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	25.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(iv) Manager or matchmaker	50.00
(v) Amateur referee	50.00
(vi) Professional referee	75.00
(vii) Professional promoter	250.00
(c) Professional boxing or wrestling permit fee, per show	50.00
(d) Duplicate boxer passport fee as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	15.00
(ii) Beginning October 1, 2003 through September 30, 2007	30.00

Sec. 62. Fees for a person registered or seeking registration as an ocularist or an apprentice ocularist under article 27 of the occupational code, MCL 339.2701 to 339.2721, are as follows:

(a) Application processing fee as follows:	
(i) If paid through September 30, 2003 or after September 30, 2007	15.00
(ii) Beginning October 1, 2003 through September 30, 2007	35.00
(b) Registration fee, per year:	
(i) Ocularist as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	20.00
(B) Beginning October 1, 2003 through September 30, 2007	40.00
(ii) Apprentice as follows:	
(A) If paid through September 30, 2003 or after September 30, 2007	10.00
(B) Beginning October 1, 2003 through September 30, 2007	20.00

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor