

SENATE BILL No. 631

June 22, 2005, Introduced by Senators CASSIS, BASHAM, BARCIA, THOMAS, BISHOP, LELAND, CHERRY, EMERSON, TOY and BIRKHOLZ and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1979 PA 152, entitled
"State license fee act,"
by amending sections 3 and 39 (MCL 338.2203 and 338.2239), section
3 as amended by 1993 PA 139 and section 39 as amended by 2003 PA
87.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The fees prescribed by this act shall be used only
2 to offset the cost of operating the department.

3 (2) Except as otherwise provided in sections 37, 38, and ~~51~~
4 39, the fees collected pursuant to this act shall be credited to
5 the general fund of the state.

6 Sec. 39. (1) Fees for a person licensed or seeking licensure
7 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:~~ 60.00
- (E) CODE BOOK FEE, PER LICENSE CYCLE 50.00**

~~(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~~

(2) THE BUILDER EDUCATION FUND IS ESTABLISHED IN THE STATE TREASURY AND SHALL BE ADMINISTERED BY THE DEPARTMENT. THIRTY DOLLARS OF EACH LICENSE FEE RECEIVED BY THE DEPARTMENT UNDER SUBSECTION (1) (D) DURING THAT 3-YEAR LICENSE CYCLE SHALL BE DEPOSITED WITH THE STATE TREASURER TO THE CREDIT OF THE BUILDER EDUCATION FUND. THE DEPARTMENT SHALL UTILIZE THE BUILDER EDUCATION FUND ONLY FOR THE OPERATION OF DEPARTMENTAL PROGRAMS RELATED TO EDUCATION REQUIRED OF ALL LICENSEES OR APPLICANTS FOR LICENSURE UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, MCL 339.2401 TO 339.2412. ANY UNEXPENDED BALANCE IN THE BUILDER EDUCATION FUND AT THE END OF A FISCAL YEAR SHALL CARRY FORWARD TO THE NEXT FISCAL

1 YEAR.

2 (3) THE BUILDER ENFORCEMENT FUND IS CREATED IN THE STATE
3 TREASURY AND SHALL BE ADMINISTERED BY THE DEPARTMENT. THIRTY
4 DOLLARS OF EACH LICENSE FEE RECEIVED BY THE DEPARTMENT UNDER
5 SUBSECTION (1) (D) DURING THAT 3-YEAR LICENSE CYCLE SHALL BE
6 DEPOSITED INTO THE BUILDER ENFORCEMENT FUND. THE DEPARTMENT SHALL
7 UTILIZE THE BUILDER ENFORCEMENT FUND ONLY FOR THE ENFORCEMENT OF
8 ARTICLE 24 OF THE OCCUPATIONAL CODE, MCL 339.2401 TO 339.2412,
9 REGARDING UNLICENSED ACTIVITY AS FURTHER DESCRIBED IN SECTION
10 601(1) AND (2) OF THE OCCUPATIONAL CODE, MCL 339.601, AND TO
11 REIMBURSE THE ATTORNEY GENERAL FOR EXPENSES INCURRED IN CONDUCTING
12 PROSECUTIONS OF SUCH UNLICENSED PRACTICE. ANY UNEXPENDED BALANCE IN
13 THE BUILDER ENFORCEMENT FUND AT THE END OF A FISCAL YEAR SHALL
14 CARRY FORWARD TO THE NEXT FISCAL YEAR.

15 (4) A PERSON LICENSED AS A RESIDENTIAL BUILDER OR A
16 RESIDENTIAL MAINTENANCE AND ALTERATION CONTRACTOR UNDER ARTICLE 24
17 OF THE OCCUPATIONAL CODE, MCL 339.2401 TO 339.2412, AS AN
18 INDIVIDUAL AND IN THE CAPACITY OF A QUALIFYING OFFICER, OR WHO IS
19 LICENSED AS A QUALIFYING OFFICER MORE THAN ONCE, IS ONLY OBLIGATED
20 TO PAY THE CODE BOOK FEE ONCE PER LICENSE CYCLE.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. 632

23 of the 93rd Legislature is enacted into law.