

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 453

A bill to amend 1979 PA 152, entitled
"State license fee act,"
by amending section 39 (MCL 338.2239), as amended by 2007 PA 77.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 39. (1) Fees for a person licensed or seeking licensure
2 as a residential builder or residential maintenance and
3 alteration contractor, salesperson, or branch office under
4 article 24 of the occupational code, MCL 339.2401 to 339.2412,
5 are as follows:

6	(a)	Application processing fee.....	\$ 15.00
7	(b)	Examination fees:	
8	(i)	Complete builder or maintenance and	
9		alteration contractor examination.....	50.00
10	(ii)	Law and rules portion.....	30.00

1	(iii)	Practice or trades portion.....	30.00
2	(iv)	Salesperson examination.....	30.00
3	(c)	Examination review.....	20.00
4	(d)	License fee ONLY FOR THE FIRST LICENSE	
5		CYCLE OF AN INITIAL OR RENEWAL LICENSEE	
6		FOLLOWING THE EFFECTIVE DATE OF THE	
7		AMENDATORY ACT THAT ADDED SUBSECTION (2),	
8		per year as follows.....	60.00
9	—— (i)	If paid after September 30, 2012.....	30.00
10	—— (ii)	Beginning October 1, 2003 through	
11		September 30, 2012.....	40.00
12	(E)	LICENSE FEE, PER YEAR.....	50.00

13 (2) THE BUILDER ENFORCEMENT FUND IS CREATED IN THE STATE
14 TREASURY AND SHALL BE ADMINISTERED BY THE DEPARTMENT. THE
15 DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE FUND FOR AUDIT
16 PURPOSES. A 1-TIME-ONLY \$30.00 ALLOCATION FROM A LICENSE FEE
17 RECEIVED BY THE DEPARTMENT UNDER SUBSECTION (1) (D) DURING A
18 SINGLE 3-YEAR LICENSE CYCLE SHALL BE DEPOSITED INTO THE BUILDER
19 ENFORCEMENT FUND. THE DEPARTMENT SHALL MAKE THE \$30.00 ALLOCATION
20 ONLY ONCE PER LICENSEE. IN THE CASE OF THE \$50.00 LICENSE FEE
21 PAID UNDER SUBSECTION (1) (E), \$5.00 OF THAT \$50.00 FEE SHALL BE
22 ALLOCATED TO THE BUILDER ENFORCEMENT FUND. IF ON DECEMBER 1 OF
23 ANY YEAR FOLLOWING THE CALENDAR YEAR 2010, THE DEPARTMENT
24 DETERMINES THAT THE BALANCE IN THE BUILDER ENFORCEMENT FUND IS
25 MORE THAN \$3,000,000.00, THE \$5.00 ALLOCATION TO THE BUILDER
26 ENFORCEMENT FUND FROM THE \$50.00 RENEWAL FEE DUE AFTER JANUARY 1
27 OF THE FOLLOWING YEAR SHALL NOT BE MADE. IF ON ANY SUBSEQUENT
28 DECEMBER 1 THE DEPARTMENT DETERMINES THAT THE BALANCE IN THE FUND

1 IS LESS THAN \$750,000.00, THE \$5.00 ALLOCATION SHALL RESUME FOR
2 ANY RENEWAL FEE DUE AFTER JANUARY 1 OF THE FOLLOWING YEAR.
3 NOTWITHSTANDING SECTION 3, THE DEPARTMENT SHALL UTILIZE THE
4 BUILDER ENFORCEMENT FUND ONLY FOR THE ENFORCEMENT OF ARTICLE 24
5 OF THE OCCUPATIONAL CODE, MCL 339.2401 TO 339.2412, REGARDING
6 UNLICENSED ACTIVITY AS FURTHER DESCRIBED IN SECTION 601(1) AND
7 (2) OF THE OCCUPATIONAL CODE, MCL 339.601, AND TO REIMBURSE THE
8 ATTORNEY GENERAL FOR THE REASONABLE COST OF SERVICES PROVIDED TO
9 THE DEPARTMENT AND FOR EXPENSES INCURRED IN PROSECUTIONS FOR SUCH
10 UNLICENSED PRACTICE OR PROSECUTING ATTORNEY FOR EXPENSES INCURRED
11 IN CONDUCTING PROSECUTIONS OF SUCH UNLICENSED PRACTICE. ANY
12 UNEXPENDED BALANCE IN THE BUILDER ENFORCEMENT FUND AT THE END OF
13 A FISCAL YEAR SHALL CARRY FORWARD TO THE NEXT FISCAL YEAR.

14 Enacting section 1. This amendatory act does not take effect
15 unless all of the following bills of the 94th Legislature are
16 enacted into law:

17 (a) Senate Bill No. 450.

18 (b) Senate Bill No. 451.

19 (c) Senate Bill No. 452.

20 Enacting section 2. This amendatory act takes effect June 1,
21 2008.