

SENATE BILL No. 1233

March 25, 2008, Introduced by Senators BASHAM and CASSIS and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 2405 (MCL 339.2405), as amended by 2007 PA 157.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2405. (1) If a license is applied for by a corporation,
2 partnership, association, limited liability company, or other
3 entity, the applicant shall designate 1 of its officers, partners,
4 members, or managing agent as a qualifying officer who, upon taking
5 and passing the examination, and upon meeting all other
6 requirements of this article, is entitled to a license to act for
7 the corporation, partnership, association, limited liability
8 company, or other entity. The qualifying officer shall also obtain
9 and maintain a license under this article as an individual **BY JUNE**
10 **1, 2011**. The qualifying officer shall be responsible for exercising
11 the supervision or control of the building or construction

1 operations necessary to secure full compliance with this article
2 and the rules promulgated under this article. A license shall not
3 be issued to a corporation, partnership, association, limited
4 liability company, or other entity unless each partner, trustee,
5 director, officer, member, and a person exercising control is at
6 least 18 years of age, and meets the requirements for a license
7 under this article other than those relating to knowledge and
8 experience. If an individual licensee is also a qualifying officer,
9 the individual's name and license number shall be listed on any
10 license issued to the individual as a qualifying officer. In the
11 case of a license issued under this subsection, each officer,
12 partner, member, or managing agent, whether or not he or she is the
13 qualifying officer, shall provide a copy of his or her operator's
14 license or state personal identification card to the department for
15 use by the department only for identification purposes. A licensee
16 granted inactive status under section 2404b is not eligible to
17 serve as a qualifying officer.

18 (2) The license of a corporation, partnership, association,
19 limited liability company, or other entity shall be suspended when
20 a license or license application of a qualifying officer, partner,
21 trustee, director, officer, member, or a person exercising control
22 of the corporation, partnership, association, limited liability
23 company, or other entity is suspended, revoked, or denied. The
24 suspension shall remain in force until the board determines that
25 the disability created by the suspension, revocation, or denial has
26 been removed.

27 (3) A suspension, revocation, or denial of a license of an

1 individual shall suspend, revoke, or deny any other license held or
2 applied for by that individual issued under this article. A
3 suspension, revocation, or denial of a license by the department
4 shall suspend, revoke, or deny any other license held or applied
5 for under this article by the qualifying officer of a corporation,
6 partnership, association, limited liability company, or other
7 entity whose license is suspended, revoked, or denied.

8 (4) If the qualifying officer of a licensee ceases to be its
9 qualifying officer, the license is suspended. However, upon
10 request, the department may permit the license to remain in force
11 for a reasonable time to permit the qualification of a new
12 qualifying officer.