

**SUBSTITUTE FOR
HOUSE BILL NO. 5821**

A bill to amend 2002 PA 733, entitled
"State plumbing act,"
by amending sections 31 and 35 (MCL 338.3541 and 338.3545), as
amended by 2008 PA 370.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) A license or apprentice registration issued
2 under this act must be renewed not more than 60 days after the
3 renewal date. It is the responsibility of a licensee or
4 registrant to renew a license or registration. The department
5 shall send a renewal application to the last known address of a
6 licensee or registrant on file with the department. Every holder
7 of a license or registration issued under this act shall promptly
8 notify the department of a change in his or her business or

residence address. The failure of a licensee or registrant to notify the department of a change of address does not extend the expiration date of a license or registration. The department may issue licenses for up to 3 years in duration.

(2) The annual fees for initial licensure, apprentice plumber registration, or renewal of a license and registration issued under this act are as follows:

- | | |
|------|---|
| (a) | If paid after September 30, 2012 +2015: |
| (i) | Journey plumber..... \$ 20.00. |
| (ii) | Apprentice plumber..... \$ 5.00. |
| (b) | If paid on or before September 30, 2012 +2015: |
| (i) | Journey plumber..... \$ 40.00. |
| (ii) | Apprentice plumber..... \$ 15.00. |

~~All licenses and~~ **A LICENSE OR** apprentice registrations **REGISTRATION THAT IS** not renewed within 60 days of expiration may be reinstated only ~~upon application~~ **BY APPLYING** to the board for reinstatement and the payment of the annual renewal fee and the following reinstatement fee:

- | | |
|------|---|
| (a) | If paid after September 30, 2012 +2015: |
| (i) | Journey plumber..... \$ 25.00. |
| (ii) | Apprentice plumber..... \$ 10.00. |
| (b) | If paid on or before September 30, 2012 +2015: |
| (i) | Journey plumber..... \$ 50.00. |
| (ii) | Apprentice plumber..... \$ 20.00. |

~~A person~~ **AN INDIVIDUAL WHO IS** requesting renewal of a license **UNDER SUBSECTION (3)** within 3 years after the license is

expired ~~under subsection (3)~~ is not subject to reexamination for the license but is required to pay the reinstatement fee and the annual renewal fee for each year **THE LICENSE WAS** not renewed. A ~~person~~ **AN INDIVIDUAL** who fails to renew a license for more than 3 consecutive years is required to meet the experience and other requirements and take an examination for the class of license requested.

(5) Examination fees **UNDER THIS ACT** are as follows:

(a) If paid after September 30, ~~2012~~ **2015**:

(i) Plumbing contractor..... \$ 50.00.

(ii) Master plumber..... \$ 50.00.

(iii) Journey plumber..... \$ 50.00.

(b) If paid on or before September 30, ~~2012~~ **2015**:

(i) Plumbing contractor..... \$ 100.00.

(ii) Master plumber..... \$ 100.00.

(iii) Journey plumber..... \$ 100.00.

(6) The department shall issue an initial master plumber ~~and~~ **OR** plumbing contractor license for a period of up to 3 years. ~~The~~ **A master plumber and OR plumbing contractor licenses are LICENSE** **IS** renewable for periods of 3 years. ~~For a person~~ **IF AN** **INDIVIDUAL IS** applying for initial or reinstatement license at a time other than between April 30 and June 30 of the year in which the department issues renewal licenses, the department shall compute and charge the license fee on a yearly prorated basis beginning the year of application until the last year of the 3-year license period.

(7) The initial and renewal fee for a master plumber ~~and OR~~
plumbing contractor license issued under this act are as follows:

- (a) If paid after September 30, ~~2012+2015~~:
 - (i) Plumbing contractor..... \$ 200.00.
 - (ii) Master plumber..... \$ 200.00.
- (b) If paid on or before September 30, ~~2012+2015~~:
 - (i) Plumbing contractor..... \$ 300.00.
 - (ii) Master plumber..... \$ 300.00.

(8) ~~All A~~ plumbing contractor ~~and OR~~ master plumber ~~licenses~~
LICENSE THAT IS not renewed within 60 days of expiration may be
reinstated only ~~upon application submitted BY APPLYING~~ to the
board and ~~payment of PAYING~~ the renewal fee and, if paid after
September 30, ~~2012, 2015~~, an \$85.00 reinstatement fee, and
\$100.00 if paid on or before September 30, ~~2012-2015~~.

(9) ~~Beginning July 23, 2004, the~~ **THE** department shall issue
an initial or renewal license for a master plumber or a plumbing
contractor **UNDER THIS ACT** not later than 90 days after the
applicant files a completed application. ~~Receipt~~ **THE DATE OF**
FILING of the application is considered the date the application
is received by any agency or department of ~~the~~ **THIS** state. ~~of~~
~~Michigan.~~ If the application is considered incomplete by the
department, the department shall notify the applicant in writing,
or make the information electronically available **TO THE**
APPLICANT, within 30 days after ~~receipt~~ **THE DATE OF FILING** of the
incomplete application, describing the deficiency and requesting
the additional information. The 90-day period is tolled ~~upon~~ **FROM**

1 **THE DATE OF** notification by the department of a deficiency until
2 the date the requested information is received by the department.
3 The determination of the completeness of an application does not
4 operate as an approval of the application for the license and
5 does not confer eligibility of an applicant determined otherwise
6 ineligible for issuance of a license.

7 (10) If the department fails to issue or deny a license
8 within the time required ~~by~~ **UNDER** this section, the department
9 shall return the license fee and shall reduce the license fee for
10 the applicant's next renewal application, if any, by 15%. The
11 failure to issue a license within the time required under this
12 section does not allow the department to otherwise delay the
13 processing of the application, and **THE DEPARTMENT SHALL PLACE**
14 that application, ~~upon completion, shall be placed~~ **WHEN**
15 **COMPLETED**, in sequence with other completed applications received
16 at that same time. The department shall not discriminate against
17 an applicant in the processing of the application based ~~upon~~ **ON**
18 the fact that the license fee was refunded or discounted under
19 this subsection.

20 (11) ~~Beginning October 1, 2005, the~~ **THE** director shall
21 submit a report by December 1 of each year to the standing
22 committees and appropriations subcommittees of the senate and
23 house of representatives concerned with occupational issues. The
24 director shall include all of the following information in the
25 report concerning the preceding fiscal year:

26 (a) The number of initial and renewal applications the
27 department received and completed within the 90-day time period

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1 described in subsection (9).

2 (b) The number of applications denied **BY THE DEPARTMENT**.

3 (c) The number of applicants **WHO WERE** not issued a license
4 within the 90-day time period and the amount of money returned to
5 licensees under subsection (10).

[(12) THE DEPARTMENT SHALL WAIVE ANY FEE OTHERWISE REQUIRED UNDER THIS SECTION OR SECTION 35 IF THE PERSON RESPONSIBLE FOR PAYING THE FEE MEETS ANY OF THE FOLLOWING:

(A) IF THE PERSON IS AN INDIVIDUAL, HE OR SHE IS, AND PROVIDES PROOF SATISFACTORY TO THE DEPARTMENT THAT HE OR SHE IS, AN HONORABLY DISCHARGED VETERAN OF THE ARMED FORCES OF THE UNITED STATES.

(B) IF THE PERSON IS A NONPROFIT CORPORATION ORGANIZED ON A MEMBERSHIP OR DIRECTORSHIP BASIS, A MAJORITY OF THE MEMBERS OR DIRECTORS, AS APPLICABLE, ARE, AND THE PERSON PROVIDES PROOF SATISFACTORY TO THE DEPARTMENT THAT A MAJORITY OF THE MEMBERS OR DIRECTORS ARE, HONORABLY DISCHARGED VETERANS OF THE ARMED FORCES OF THE UNITED STATES.

(C) IF THE PERSON IS NOT AN INDIVIDUAL OR A NONPROFIT CORPORATION DESCRIBED IN SUBDIVISION (B), A MAJORITY OF THE SHARES OR OTHER OWNERSHIP INTERESTS OF THE PERSON ARE, AND THE PERSON PROVIDES PROOF SATISFACTORY TO THE DEPARTMENT THAT THOSE INTERESTS ARE, HELD BY 1 OR MORE HONORABLY DISCHARGED VETERANS OF THE ARMED FORCES OF THE UNITED STATES.

6 **(13) ~~(12)~~** As used in this section, "completed application" means
7 an application **THAT IS** complete on its face and submitted with
8 any applicable licensing fees ~~as well as~~ **AND** any other
9 information, records, approval, security, or similar item
10 required by law or rule from a local unit of government, a
11 federal agency, or a private entity but not from another
12 department or agency of ~~the~~ **THIS** state. ~~of Michigan.~~

13 Sec. 35. If a license or registration is lost or destroyed,
14 **THE DEPARTMENT SHALL ISSUE** a new license or registration, ~~shall~~
15 ~~be issued without examination, upon payment of a~~ **IF A FEE OF**
16 **\$20.00 fee if** ~~IS~~ paid after September 30, 2012, **2015**, and **A FEE**
17 **OF \$30.00 if** ~~IS~~ paid on or before September 30, 2012. ~~An~~ **2015**,
18 **AND AN** application for a new license or registration ~~shall be~~ **IS**
19 **SUBMITTED**, accompanied by a written statement made by the
20 licensee or registrant that the license or registration ~~has been~~
21 **WAS** lost or destroyed.