

HOUSE BILL No. 5506

April 30, 2014, Introduced by Reps. Santana, Knezek and Kosowski and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1984 PA 192, entitled
"Forbes mechanical contractors act,"
by amending section 10 (MCL 338.980), as amended by 2012 PA 312.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) Subject to subsection (8), the examination fee
2 for a contractor's license is \$25.00 if paid after September 30,
3 2015 and \$100.00 if paid on or before September 30, 2015. Except as
4 otherwise provided in subsections (2) and (4), the initial and per-
5 year fee for the issuance of a contractor's license is \$75.00 if
6 paid after September 30, 2015 and \$100.00 if paid on or before
7 September 30, 2015.

8 (2) An initial or renewal contractor's license issued under
9 this act expires on August 31 every third year and is renewable by
10 filing an application and paying the license fee not later than

1 October 31. If an individual is applying for an initial or
2 reinstatement contractor's license at a time other than between
3 August 31 and October 31 of the year in which the department issues
4 renewal licenses, the department shall compute and charge the
5 license fee on a yearly pro rata basis beginning in the year of the
6 application until the last year of the 3-year license cycle. A
7 license that is not renewed is void and may be reinstated only by
8 applying for reinstatement and paying the license fee. An
9 individual who renews his or her license within 3 years after the
10 license is voided under this section is not subject to
11 reexamination for the license.

12 (3) The department shall issue an initial or renewal license
13 not later than 90 days after the applicant files a completed
14 application. The date of filing of the application is considered
15 the date the application is received by any agency or department of
16 this state. If the application is considered incomplete by the
17 department, the department shall notify the applicant in writing,
18 or make the information electronically available to the applicant,
19 within 30 days after the date of filing of the incomplete
20 application, describing the deficiency and requesting the
21 additional information. The 90-day period is tolled from the date
22 of notification by the department of a deficiency until the date
23 the requested information is received by the department. The
24 determination of the completeness of an application does not
25 operate as an approval of the application for the license and does
26 not confer eligibility of an applicant determined otherwise
27 ineligible for issuance of a license.

1 (4) If the department fails to issue or deny a license within
2 the time required under this section, the department shall return
3 the license fee and shall reduce the license fee for the
4 applicant's next renewal application, if any, by 15%. The failure
5 to issue a license within the time required under this section does
6 not allow the department to otherwise delay the processing of the
7 application, and the department shall place that application, when
8 completed, in sequence with other completed applications received
9 at that same time. The department shall not discriminate against an
10 applicant in the processing of the application based on the fact
11 that the license fee was refunded or discounted under this
12 subsection.

13 (5) The director of the department shall submit a report by
14 December 1 of each year to the standing committees and
15 appropriations subcommittees of the senate and house of
16 representatives concerned with occupational issues. The director
17 shall include all of the following information in the report
18 concerning the preceding fiscal year:

19 (a) The number of initial and renewal applications the
20 department received and completed within the 90-day time period
21 described in subsection (3).

22 (b) The number of applications denied by the department.

23 (c) The number of applicants that were not issued a license
24 within the 90-day time period and the amount of money returned to
25 licensees under subsection (4).

26 (6) The department shall pay all licensing fees, examination
27 fees, and other income received under this act into the state

1 construction code fund created in section 22 of the Stille-
2 DeRossett-Hale single state construction code act, 1972 PA 230, MCL
3 125.1522.

4 (7) The department shall annually submit to the members of the
5 legislature a comprehensive report detailing the expenditure of
6 additional money resulting from the 1989 amendatory act that
7 increased the fees contained in this section.

8 (8) The department shall waive any fee otherwise required
9 under this section if the ~~person responsible for paying the fee~~
10 ~~meets any of the following:~~

11 ~~—— (a) If the person is an individual, he or she is, and provides~~
12 ~~proof satisfactory to the department that he or she is, an~~
13 ~~honorably discharged veteran of the armed forces of the United~~
14 ~~States.~~ **APPLICANT IS AN INDIVIDUAL WHO SERVED IN THE ARMED FORCES**
15 **AND HE OR SHE PROVIDES TO THE DEPARTMENT A FORM DD214, FORM DD215,**
16 **OR ANY OTHER FORM THAT IS SATISFACTORY TO THE DEPARTMENT THAT**
17 **DEMONSTRATES HE OR SHE WAS SEPARATED FROM THAT SERVICE WITH AN**
18 **HONORABLE CHARACTER OF SERVICE OR UNDER HONORABLE CONDITIONS**
19 **(GENERAL) CHARACTER OF SERVICE.**

20 ~~—— (b) If the person is a nonprofit corporation organized on a~~
21 ~~membership or directorship basis, a majority of the members or~~
22 ~~directors, as applicable, are, and the person provides proof~~
23 ~~satisfactory to the department that a majority of the members or~~
24 ~~directors are, honorably discharged veterans of the armed forces of~~
25 ~~the United States.~~

26 ~~—— (c) If the person is not an individual or a nonprofit~~
27 ~~corporation described in subdivision (b), a majority of the shares~~

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1 ~~or other ownership interests of the person are, and the person~~
2 ~~provides proof satisfactory to the department that those interests~~
3 ~~are, held by 1 or more honorably discharged veterans of the armed~~
4 ~~forces of the United States.~~

5 (9) As used in this section, "completed application" means an
6 application that is complete on its face and submitted with any
7 applicable licensing fees and any other information, records,
8 approval, security, or similar item required by law or rule from a
9 local unit of government, a federal agency, or a private entity but
10 not from another department or agency of this state.

[Enacting section 1. This amendatory act takes effect 90 days after
the date it is enacted into law.]