

SENATE BILL No. 742

January 22, 2014, Introduced by Senator SCHUITMAKER and referred to the Committee on Veterans, Military Affairs and Homeland Security.

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 213 (MCL 339.213).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 213. (1) If a person has not previously been denied a
2 license or a certificate of registration or had a license or a
3 certificate of registration revoked or suspended, the department
4 may grant a nonrenewable temporary license or certificate of
5 registration to an applicant for licensure or registration or
6 transfer of licensure or registration ~~pursuant to~~ **UNDER ANY OF**
7 articles 8 to ~~25-29~~.

8 ~~— (2) As IF~~ approved by a board, a temporary license or
9 certificate of registration issued under this ~~section~~ **SUBSECTION** is
10 valid until 1 or more of the following occurs:

1 (a) The results of the next scheduled examination are
2 available.

3 (b) The results of the next required evaluation procedure are
4 available.

5 (c) A license or certificate of registration is issued.

6 (d) The next examination date of an examination for licensure
7 or registration in the applicable occupation, if the applicant does
8 not take the examination.

9 (e) The applicant fails to meet the requirements for a license
10 or certificate of registration.

11 (f) A change in employment is made.

12 (2) IN ADDITION TO A TEMPORARY LICENSE OR CERTIFICATE OF
13 REGISTRATION UNDER SUBSECTION (1), THE DEPARTMENT MAY GRANT A
14 TEMPORARY LICENSE OR CERTIFICATE OF REGISTRATION FOR AN OCCUPATION
15 UNDER THIS ACT TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

16 (A) HE OR SHE IS MARRIED TO A MEMBER OF THE ARMED FORCES OF
17 THE UNITED STATES WHO IS ON ACTIVE DUTY.

18 (B) HE OR SHE HOLDS A CURRENT LICENSE OR REGISTRATION IN THAT
19 OCCUPATION ISSUED BY AN EQUIVALENT LICENSING DEPARTMENT, BOARD, OR
20 AUTHORITY, AS DETERMINED BY THE BOARD, IN ANOTHER STATE OF THE
21 UNITED STATES, THE DISTRICT OF COLUMBIA, PUERTO RICO, THE UNITED
22 STATES VIRGIN ISLANDS, ANOTHER TERRITORY OR PROTECTORATE OF THE
23 UNITED STATES, OR A FOREIGN COUNTRY.

24 (C) HE OR SHE PROVIDES PROOF ACCEPTABLE TO THE DEPARTMENT THAT
25 HIS OR HER SPOUSE IS ASSIGNED TO A DUTY STATION IN THIS STATE AND
26 THAT HE OR SHE IS ALSO ASSIGNED TO A DUTY STATION IN THIS STATE
27 UNDER HIS OR HER SPOUSE'S OFFICIAL ACTIVE DUTY MILITARY ORDERS.

1 (D) HE OR SHE SUBMITS HIS OR HER FINGERPRINTS TO THE
2 DEPARTMENT OF STATE POLICE TO HAVE A CRIMINAL HISTORY CHECK
3 CONDUCTED AND REQUESTS THAT THE DEPARTMENT OF STATE POLICE FORWARD
4 HIS OR HER FINGERPRINTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR
5 A NATIONAL CRIMINAL HISTORY CHECK. THE DEPARTMENT OF STATE POLICE
6 SHALL CONDUCT A CRIMINAL HISTORY CHECK AND REQUEST THE FEDERAL
7 BUREAU OF INVESTIGATION TO MAKE A DETERMINATION OF THE EXISTENCE OF
8 ANY NATIONAL CRIMINAL HISTORY PERTAINING TO THE INDIVIDUAL. THE
9 DEPARTMENT OF STATE POLICE SHALL PROVIDE THE DEPARTMENT WITH A
10 WRITTEN REPORT OF THE CRIMINAL HISTORY CHECK IF THE CRIMINAL
11 HISTORY CHECK CONTAINS ANY CRIMINAL HISTORY RECORD INFORMATION. THE
12 DEPARTMENT OF STATE POLICE SHALL FORWARD THE RESULTS OF THE FEDERAL
13 BUREAU OF INVESTIGATION DETERMINATION TO THE DEPARTMENT WITHIN 30
14 DAYS AFTER THE REQUEST IS MADE. THE DEPARTMENT SHALL NOTIFY THE
15 INDIVIDUAL IN WRITING OF THE TYPE OF CRIME DISCLOSED ON THE FEDERAL
16 BUREAU OF INVESTIGATION DETERMINATION WITHOUT DISCLOSING THE
17 DETAILS OF THE CRIME. THE DEPARTMENT OF STATE POLICE MAY CHARGE A
18 REASONABLE FEE TO COVER THE COST OF CONDUCTING THE CRIMINAL HISTORY
19 CHECK. THE CRIMINAL HISTORY RECORD INFORMATION OBTAINED UNDER THIS
20 SUBDIVISION SHALL BE USED ONLY FOR THE PURPOSE OF EVALUATING AN
21 APPLICANT'S QUALIFICATIONS FOR THE TEMPORARY LICENSE OR
22 REGISTRATION FOR WHICH HE OR SHE APPLIED. THE DEPARTMENT SHALL NOT
23 DISCLOSE THE REPORT OR ITS CONTENTS TO ANY PERSON WHO IS NOT
24 DIRECTLY INVOLVED IN EVALUATING THE APPLICANT'S QUALIFICATIONS FOR
25 THE TEMPORARY LICENSE OR REGISTRATION. INFORMATION OBTAINED UNDER
26 THIS SUBDIVISION IS CONFIDENTIAL, IS NOT SUBJECT TO DISCLOSURE
27 UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO

1 15.246, AND SHALL NOT BE DISCLOSED TO ANY PERSON EXCEPT FOR
2 PURPOSES OF THIS SECTION OR FOR LAW ENFORCEMENT PURPOSES.

3 (3) A TEMPORARY LICENSE OR REGISTRATION ISSUED UNDER
4 SUBSECTION (2) IS VALID FOR 1 YEAR AND MAY BE RENEWED FOR
5 ADDITIONAL 1-YEAR TERMS IF THE DEPARTMENT DETERMINES THE TEMPORARY
6 LICENSEE OR REGISTRANT CONTINUES TO MEET THE REQUIREMENTS OF
7 SUBSECTION (2).

8 ~~——(3) A THE DEPARTMENT MAY PLACE A LIMITATION ON A temporary~~
9 ~~license or certificate of registration may be limited as defined in~~
10 GRANTED UNDER THIS SECTION UNDER article 1.