

SENATE BILL No. 954

(As amended May 31, 2016)

May 4, 2016, Introduced by Senator BOOHER and referred to the Committee on Regulatory Reform.

<<A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 2004 and 2012 (MCL 339.2004 and 339.2012), section
2004 as amended by 2009 PA 143 and section 2012 as amended by 2002 PA
95; and to repeal acts and parts of acts.>>

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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Senate Bill No. 954 as amended May 31, 2016

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Sec. 2004. (1) In order to be licensed as an architect, an individual shall ~~shall~~ **MUST** meet all of the following:

(a) ~~The requirements prescribed in section 2005(1).~~ **PROVIDE EVIDENCE OF COMPLETION OF A FIRST PROFESSIONAL DEGREE OR FURTHER DEGREE IN ARCHITECTURE SATISFACTORY TO THE BOARD OF ARCHITECTS.**

(b) Pass an examination ~~which~~ **THAT** tests the applicant's

1 qualifications to practice architecture or provide equivalent proof
2 of qualification acceptable to the department and the board of
3 architects.

4 (c) Be of good moral character.

5 (d) Provide documentation of ~~not less than 8 years of~~
6 professional experience in architectural work satisfactory to the
7 board., ~~including not more than 6 years of education.~~

8 ~~—— (e) Provide not less than 5 references, 3 of which shall be~~
9 ~~references from licensed architects who have personal knowledge of~~
10 ~~the applicant's professional experience.~~

11 (2) In order to be licensed as a professional engineer, an
12 individual shall **MUST** meet all of the following:

13 (a) ~~The requirements prescribed in section 2005(2).~~ **PROVIDE**
14 **DOCUMENTATION OF AT LEAST 8 YEARS OF PROFESSIONAL EXPERIENCE IN**
15 **ENGINEERING WORK ACCEPTABLE TO THE BOARD OF PROFESSIONAL ENGINEERS,**
16 **INCLUDING NOT MORE THAN 6 YEARS OF EDUCATION.**

17 (B) **PROVIDE EVIDENCE OF COMPLETION OF A BACCALAUREATE DEGREE**
18 **IN ENGINEERING FROM AN ACCREDITED PROGRAM OR ITS EQUIVALENT, AS**
19 **DETERMINED BY THE BOARD OF PROFESSIONAL ENGINEERS.**

20 (C) ~~(b)~~ Pass the engineering fundamentals and professional
21 practice examinations or provide equivalent proof of qualification
22 to practice professional engineering acceptable to the department
23 and the board.

24 (D) ~~(e)~~ Be of good moral character.

25 (3) In order to be licensed as a ~~land~~ **PROFESSIONAL** surveyor,
26 an individual shall **MUST** meet all of the following:

27 (a) ~~The requirements prescribed in section 2005(3).~~ **PROVIDE**

1 DOCUMENTATION OF AT LEAST 8 YEARS OF PROFESSIONAL EXPERIENCE IN
 2 PROFESSIONAL SURVEYING SATISFACTORY TO THE BOARD OF PROFESSIONAL
 3 SURVEYORS, INCLUDING NOT MORE THAN 5 YEARS OF EDUCATION.

4 (B) PROVIDE EVIDENCE OF COMPLETION OF A DEGREE IN PROFESSIONAL
 5 SURVEYING OR A RELATED DEGREE THAT INCLUDED PROFESSIONAL SURVEYING
 6 COURSES ACCEPTABLE TO THE BOARD OF PROFESSIONAL SURVEYORS.

7 (C) ~~(b)~~ Pass the ~~land~~ PROFESSIONAL surveying fundamentals and
 8 professional practice examinations or provide equivalent proof of
 9 qualification to practice ~~land~~ PROFESSIONAL surveying acceptable to
 10 the department and the board.

11 (D) ~~(e)~~ Be of good moral character.

12 Sec. 2012. (1) The following persons are exempt from the
 13 requirements of this article:

14 (a) A professional engineer **WHO IS** employed by a railroad or
 15 other interstate corporation ~~—~~ **AND** whose employment and practice is
 16 confined to the property of the corporation.

17 (b) A designer of a manufactured product, if the manufacturer
 18 of the product assumes responsibility for the quality of the
 19 product.

20 (c) An owner **THAT IS** doing architectural, engineering, or
 21 surveying work ~~upon~~ **ON** or in connection with the construction of a
 22 building on the owner's property for the owner's own use **AND** to
 23 which employees and the public are not generally to have access.

24 (d) ~~A person~~ **AN INDIVIDUAL WHO IS** not licensed under this
 25 article **AND** who is planning, designing, or directing the
 26 construction of a detached 1- and 2-family residence building ~~not~~
 27 ~~exceeding~~ **THAT DOES NOT EXCEED** 3,500 square feet in calculated

1 floor area. For purposes of this subdivision, detached 1- and 2-
2 family residence building does not include an adult foster care
3 home licensed under the adult foster care facility licensing act,
4 1979 PA 218, MCL 400.701 to 400.737.

5 (e) ~~A person~~ **AN INDIVIDUAL** who is licensed to engage in the
6 practice of architecture, professional engineering, or professional
7 surveying in another state while temporarily in this state to
8 present a proposal for services.

9 **(F) A PERSON WHO IS NOT LICENSED UNDER THIS ARTICLE; IS A FIRE**
10 **ALARM CONTRACTOR LICENSED UNDER THE ELECTRICAL ADMINISTRATIVE ACT,**
11 **1956 PA 217, MCL 338.881 TO 338.892; AND IS SUBMITTING FIRE ALARM**
12 **SHOP DRAWINGS FOR THE PURPOSE OF OBTAINING AN ELECTRICAL OR FIRE**
13 **ALARM PERMIT.**

14 (2) As used in this section:

15 (a) "Calculated floor area" means that portion of the total
16 gross area, measured to the outside surfaces of exterior walls,
17 intended to be habitable space.

18 (b) "Habitable space" means space in a building used for
19 living, sleeping, eating, or cooking. Habitable space does not
20 include a heater or utility room, a crawl space, a basement, an
21 attic, a garage, an open porch, a balcony, a terrace, a court, a
22 deck, a bathroom, a toilet room, a closet, a hallway, a storage
23 space, and other similar spaces **THAT ARE** not used for living,
24 sleeping, eating, or cooking.

25 Enacting section 1. Section 2005 of the occupational code,
26 1980 PA 299, MCL 339.2005, is repealed.

27 Enacting section 2. This amendatory act takes effect 90 days

1 after the date it is enacted into law.