

HOUSE BILL No. 6051

November 29, 2016, Introduced by Rep. Nesbitt and referred to the Committee on Regulatory Reform.

A bill to amend 2002 PA 733, entitled
"State plumbing act,"
by amending sections 23 and 31 (MCL 338.3533 and 338.3541), section
31 as amended by 2015 PA 74.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 23. (1) The department shall issue a master plumber's
2 license to ~~a person not less than 18 years of age~~ **AN INDIVIDUAL WHO**
3 **IS AT LEAST 18 YEARS OLD AND** who does all of the following:

4 (a) Files a completed application on a form provided by the
5 department.

6 (b) Pays the examination fee prescribed in section 31 and
7 passes an examination provided for by the board and the department.

8 (c) Pays the **INITIAL OR RENEWAL** license fee ~~prescribed in~~
9 **REQUIRED UNDER** section 31.

1 (d) Holds a journey plumber license issued under this act ~~or~~
2 ~~former 1929 PA 266~~ and has gained 4,000 hours' experience in work
3 as a journey plumber over a period of not less than 2 years
4 immediately preceding the date of his or her application.

5 (2) As a condition of renewal of a master plumber's license,
6 the master plumber shall demonstrate the successful completion of a
7 course, approved by the board, concerning any update or change in
8 the code within 12 months after the update or change in that code.
9 This requirement applies only during or after those years that the
10 code is updated or changed.

11 (3) A licensed master plumber shall represent only 1 plumbing
12 contractor at any given time.

13 (4) A master plumber who is also a plumbing contractor is only
14 ~~liable~~ **RESPONSIBLE** for payment of the plumbing contractor **INITIAL**
15 **OR RENEWAL** license fee **AND IS NOT RESPONSIBLE FOR ALSO PAYING THE**
16 **MASTER PLUMBER INITIAL OR RENEWAL LICENSE FEE UNDER SECTION 31(7).**

17 (5) If a master plumber ~~representing~~ **WHO REPRESENTS** a plumbing
18 contractor ceases to represent the plumbing contractor, the master
19 plumber shall notify the department in writing within 30 days after
20 the representation ceases.

21 Sec. 31. (1) A license or apprentice registration issued under
22 this act must be renewed not more than 60 days after the renewal
23 date. It is the responsibility of a licensee or registrant to renew
24 a license or registration. The department shall send a renewal
25 application to the last known address of a licensee or registrant
26 on file with the department. Every holder of a license or
27 registration issued under this act shall promptly notify the

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

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

- 9 (a) If paid after September 30, 2019:
- 10 (i) Journey plumber..... \$ 20.00.
- 11 (ii) Apprentice plumber..... \$ 5.00.
- 12 (b) If paid on or before September 30, 2019:
- 13 (i) Journey plumber..... \$ 40.00.
- 14 (ii) Apprentice plumber..... \$ 15.00.

15 (3) A license or apprentice registration that is not renewed
16 within 60 days of expiration may be reinstated only by applying to
17 the board for reinstatement and the payment of the annual renewal
18 fee and the following reinstatement fee:

- 19 (a) If paid after September 30, 2019:
- 20 (i) Journey plumber..... \$ 25.00.
- 21 (ii) Apprentice plumber..... \$ 10.00.
- 22 (b) If paid on or before September 30, 2019:
- 23 (i) Journey plumber..... \$ 50.00.
- 24 (ii) Apprentice plumber..... \$ 20.00.

25 (4) An individual who is requesting renewal of a license under

1 subsection (3) within 3 years after the license is expired is not
2 subject to reexamination for the license but is required to pay the
3 reinstatement fee and the annual renewal fee for each year the
4 license was not renewed. An individual who fails to renew a license
5 for more than 3 consecutive years is required to meet the
6 experience and other requirements and take an examination for the
7 class of license requested.

8 (5) Examination fees under this act are as follows:

- 9 (a) If paid after September 30, 2019:
- 10 (i) Plumbing contractor..... \$ 50.00.
- 11 (ii) Master plumber..... \$ 50.00.
- 12 (iii) Journey plumber..... \$ 50.00.
- 13 (b) If paid on or before September 30, 2019:
- 14 (i) Plumbing contractor..... \$ 100.00.
- 15 (ii) Master plumber..... \$ 100.00.
- 16 (iii) Journey plumber..... \$ 100.00.

17 (6) The department shall issue an initial master plumber or
18 plumbing contractor license for a period of up to 3 years. A master
19 plumber or plumbing contractor license is renewable for periods of
20 3 years. If an individual is applying for initial or reinstatement
21 license at a time other than between April 30 and June 30 of the
22 year in which the department issues renewal licenses, the
23 department shall compute and charge the license fee on a yearly
24 prorated basis beginning the year of application until the last
25 year of the 3-year license period.

26 (7) ~~The~~ **SUBJECT TO SECTION 23(4), THE** initial and renewal fee

1 for a master plumber or plumbing contractor license issued under
2 this act are as follows:

- 3 (a) If paid after September 30, 2019:
- 4 (i) Plumbing contractor..... \$ 200.00.
- 5 (ii) Master plumber..... \$ 200.00.
- 6 (b) If paid on or before September 30, 2019:
- 7 (i) Plumbing contractor..... \$ 300.00.
- 8 (ii) Master plumber..... \$ 300.00.

9 (8) A plumbing contractor or master plumber license that is
10 not renewed within 60 days of expiration may be reinstated only by
11 applying to the board and paying the renewal fee and, if paid after
12 September 30, 2019, an \$85.00 reinstatement fee, and \$100.00 if
13 paid on or before September 30, 2019.

14 (9) The department shall issue an initial or renewal license
15 for a master plumber or a plumbing contractor under this act not
16 later than 90 days after the applicant files a completed
17 application. The date of filing of the application is considered
18 the date the application is received by any agency or department of
19 this state. If the application is considered incomplete by the
20 department, the department shall notify the applicant in writing,
21 or make the information electronically available to the applicant,
22 within 30 days after the date of filing of the incomplete
23 application, describing the deficiency and requesting the
24 additional information. The 90-day period is tolled from the date
25 of notification by the department of a deficiency until the date
26 the requested information is received by the department. The

1 determination of the completeness of an application does not
2 operate as an approval of the application for the license and does
3 not confer eligibility of an applicant determined otherwise
4 ineligible for issuance of a license.

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

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

22 (a) The number of initial and renewal applications the
23 department received and completed within the 90-day time period
24 described in subsection (9).

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

26 (c) The number of applicants who were not issued a license
27 within the 90-day time period and the amount of money returned to

1 licensees under subsection (10).

2 (12) The department shall waive any fee otherwise required
3 under this section or section 35 if the person responsible for
4 paying the fee meets any of the following:

5 (a) If the person is an individual, he or she is, and provides
6 proof satisfactory to the department that he or she is, an
7 honorably discharged veteran of the armed forces of the United
8 States.

9 (b) If the person is a nonprofit corporation organized on a
10 membership or directorship basis, a majority of the members or
11 directors, as applicable, are, and the person provides proof
12 satisfactory to the department that a majority of the members or
13 directors are, honorably discharged veterans of the armed forces of
14 the United States.

15 (c) If the person is not an individual or a nonprofit
16 corporation described in subdivision (b), a majority of the shares
17 or other ownership interests of the person are, and the person
18 provides proof satisfactory to the department that those interests
19 are, held by 1 or more honorably discharged veterans of the armed
20 forces of the United States.

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

27 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.