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BILL



ANALYSIS

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House Bill 6059 (Substitute H-1 as passed by the House)
Sponsor: Representative Terry J. Sabo
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 12-5-18

CONTENT

Senate Bill 6059 (H-1) would amend the Skilled Trades Regulation Act to require the Department of Licensing and Regulatory Affairs (LARA) to establish a procedure allowing an individual to obtain a preliminary determination concerning whether any court judgments against him or her likely would result in a denial of a license or registration for failing to meet the good moral character requirements for that license or registration.

Specifically, the bill would require LARA to establish a procedure that would allow an individual to obtain a preliminary determination from the Department concerning whether any court judgments against him or her likely would result in a denial of a license or registration for failing to meet the good moral character requirements for that license or registration.

All of the following would apply for the purposes of the procedure described above:

- To obtain a preliminary determination, an individual would have to file a request that met all of the following: a) was submitted on a form provided by LARA; b) identified the license or registration for which he or she could apply; c) included a description of any criminal proceedings that resulted in a judgment against him or her; and d) included a nonrefundable fee required by LARA.
- LARA could consider only the information provided by the individual in making a preliminary determination.
- A preliminary determination that was adverse to an individual would not prevent him or her from subsequently applying for a license or registration.
- LARA or a board would not be bound by a preliminary determination if the individual applied for a license or registration under the Act.
- The issuance of a preliminary determination would not limit LARA's authority to review applications for license or registration, or to issue or deny a license or registration.
- LARA would have to notify an individual of a preliminary determination by delivering a preliminary determination letter to him or her, in a form determined by the Department.

An individual could not request more than one preliminary determination in any 120-day period.

The bill would take effect 90 days after its enactment.

Proposed MCL 339.5202

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would not have a significant fiscal impact on State or local government. To the extent that the bill would encourage the filing of requests for preliminary determinations, it could result in a minor increase in fee revenue, but the amount would be negligible.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.