SENATE SUBSTITUTE FOR HOUSE BILL NO. 5955

A bill to limit the authority of political subdivisions to impose licensing regulation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- Sec. 1. This act shall be known and may be cited as the "local
 government occupational licensing act".
- 3 Sec. 3. As used in this act:
- 4 (a) "Licensing" means any training, education, or fee required 5 for an individual to perform work in a specific occupation in a 6 political subdivision, in this state, or in any other governmental 7 unit in this state. The term includes registration.
- 8 (b) "Licensing authority" means an agency, examining board,
 9 credentialing board, or other office of a political subdivision or
 10 other governmental unit that has the authority to impose fees or
 11 other licensing requirements on an individual as a condition to

- 1 performing work in a specific occupation in that governmental unit.
- 2 (c) "Political subdivision" means a city, township, village,
- 3 or county of this state.
- 4 (d) "Registration" means an authorization to use a designated
- 5 title while performing work in a specific occupation in a political
- 6 subdivision, in this state, or in any other governmental unit in
- 7 this state.
- 8 Sec. 5. (1) Beginning January 1, 2018, a political subdivision
- 9 shall not impose any licensing requirements on any individuals who
- 10 perform a specific occupation if the political subdivision does not
- 11 already impose licensing requirements on that occupation. However,
- 12 a political subdivision may continue to regulate any occupation
- 13 that is subject to licensing requirements in that political
- 14 subdivision before January 1, 2018.
- 15 (2) If an occupation is subject to licensing requirements
- 16 imposed by the department of licensing and regulatory affairs or
- 17 any other licensing authority of this state, a political
- 18 subdivision of this state shall not impose any regulations on that
- 19 occupation that add additional licensing requirements to those
- 20 already imposed by the licensing authority of this state.
- 21 (3) Beginning January 1, 2018, if the department of licensing
- 22 and regulatory affairs or any other licensing authority of this
- 23 state imposes any new licensing requirements on any occupation that
- 24 was previously unregulated by the state, and if the political
- 25 subdivision has licensing requirements that regulate that
- 26 occupation in effect at the time the new state licensing
- 27 requirements take effect, the political subdivision may not

- 1 continue to enforce its licensing requirements for that occupation
- 2 on or after the date when the state licensing requirements take
- 3 effect.
- 4 Sec. 11. This act does not apply to any licensing requirements
- 5 that are subject to any of the following laws of this state:
- 6 (a) Sections 733 and 735 of the skilled trades regulation act,
- 7 2016 PA 407, MCL 339.5733 and 339.5735.
- **8** (b) Section 2 of 1976 PA 333, MCL 338.2152.
- 9 (c) Section 6 of the security alarm systems act, 2012 PA 580,
- **10** MCL 338.2186.
- 11 Enacting section 1. This act is retroactive and takes effect
- **12** January 1, 2018.
- 13 Enacting section 2. This act does not take effect unless all
- 14 of the following bills of the 99th Legislature are enacted into
- **15** law:
- 16 (a) House Bill No. 5956.
- 17 (b) House Bill No. 5957.
- 18 (c) House Bill No. 5958.
- 19 (d) House Bill No. 5959.
- 20 (e) House Bill No. 5960.
- **21** (f) House Bill No. 5961.
- **22** (g) House Bill No. 5962.
- 23 (h) House Bill No. 5963.
- 24 (i) House Bill No. 5964.
- **25** (j) House Bill No. 5965.