

STATE LICENSE FEE ACT (EXCERPT)
Act 152 of 1979

***** 338.2239.amended THIS AMENDED SECTION IS EFFECTIVE JUNE 1, 2008 *****

338.2239.amended Residential builder or residential maintenance and alteration contractor, salesperson, or branch office; fees; builder enforcement fund; creation; administration; allocation; use; carryforward of unexpended balance.

Sec. 39. (1) Fees for a person licensed or seeking licensure as a residential builder or residential maintenance and alteration contractor, salesperson, or branch office under article 24 of the occupational code, MCL 339.2401 to 339.2412, are as follows:

(a)	Application processing fee.....	\$ 15.00
(b)	Examination fees:	
(i)	Complete builder or maintenance and alteration contractor examination.....	50.00
(ii)	Law and rules portion.....	30.00
(iii)	Practice or trades portion.....	30.00
(iv)	Salesperson examination.....	30.00
(c)	Examination review.....	20.00
(d)	License fee only for the first license cycle of an initial or renewal licensee following the effective date of the amendatory act that added subsection (2), per year	60.00
(e)	License fee, per year.....	50.00

(2) The builder enforcement fund is created in the state treasury and shall be administered by the department. The department shall be the administrator of the fund for audit purposes. A 1-time-only \$30.00 allocation from a license fee received by the department under subsection (1)(d) during a single 3-year license cycle shall be deposited into the builder enforcement fund. The department shall make the \$30.00 allocation only once per licensee. In the case of the \$50.00 license fee paid under subsection (1)(e), \$5.00 of that \$50.00 fee shall be allocated to the builder enforcement fund. If on December 1 of any year following the calendar year 2010, the department determines that the balance in the builder enforcement fund is more than \$3,000,000.00, the \$5.00 allocation to the builder enforcement fund from the \$50.00 renewal fee due after January 1 of the following year shall not be made. If on any subsequent December 1 the department determines that the balance in the fund is less than \$750,000.00, the \$5.00 allocation shall resume for any renewal fee due after January 1 of the following year. Notwithstanding section 3, the department shall utilize the builder enforcement fund only for the enforcement of article 24 of the occupational code, MCL 339.2401 to 339.2412, regarding unlicensed activity as further described in section 601(1) and (2) of the occupational code, MCL 339.601, and to reimburse the attorney general for the reasonable cost of services provided to the department and for expenses incurred in prosecutions for such unlicensed practice or prosecuting attorney for expenses incurred in conducting prosecutions of such unlicensed practice. Any unexpended balance in the builder enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

History: 1979, Act 152, Eff. Jan. 1, 1980;—Am. 1980, Act 295, Eff. Jan. 1, 1981;—Am. 1988, Act 461, Eff. Sept. 1, 1989;—Am. 2003, Act 87, Imd. Eff. July 23, 2003;—Am. 2007, Act 77, Imd. Eff. Sept. 30, 2007;—Am. 2007, Act 158, Eff. June 1, 2008.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.