

SKILLED TRADES REGULATION ACT (EXCERPT)
Act 407 of 2016

***** 339.5509.new THIS NEW SECTION IS EFFECTIVE APRIL 4, 2017 *****

339.5509.new Summary suspension of license; order; affidavit; administrative proceedings; petition to dissolve order; hearing; granting request; exception; record.

Sec. 509. (1) After an investigation is conducted, the department may issue an order summarily suspending a license issued under this act based on an affidavit by an individual who is familiar with the facts set forth in the affidavit, or, if appropriate, based on an affidavit made on information and belief, that an imminent threat to the public health, safety, and welfare exists. After a summary suspension order is issued under this section, the department shall promptly commence the administrative proceedings described in this article to determine what additional administrative action is appropriate.

(2) If a person's license is summarily suspended under this section, the person may petition the department to dissolve the order. If it receives a petition under this subsection, the department shall immediately schedule a hearing to decide whether to grant or deny the request to dissolve the order.

(3) An administrative law hearings examiner shall grant a request to dissolve a summary suspension order made under subsection (2), unless sufficient evidence is presented that an imminent threat to the public health, safety, and welfare exists that requires emergency action and continuation of the director's summary suspension order.

(4) The record created at the hearing to dissolve a summary suspension order shall become part of the record on the complaint at a subsequent contested case hearing.

History: 2016, Act 407, Eff. Apr. 4, 2017.