

HOUSE BILL No. 6267

June 22, 2006, Introduced by Rep. Baxter and referred to the Committee on Regulatory Reform.

A bill to amend 1979 PA 152, entitled "State license fee act," by amending the title and sections 3 and 37 (MCL 338.2203 and 338.2237), section 3 as amended by 1993 PA 139 and section 37 as amended by 2003 PA 87.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to provide for the establishment and collection of fees for the **INVESTIGATION**, regulation, **AND ENFORCEMENT** of certain occupations and professions, and for certain agencies and businesses; to create certain funds **FOR CERTAIN PURPOSES**; and to prescribe certain powers and duties of certain state agencies and departments.

1 Sec. 3. (1) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED FOR IN**
2 **SECTION 37, THE** fees prescribed by this act shall be used only to
3 offset the cost of operating the department.

4 (2) Except as otherwise provided in sections 37, 38, and 51,
5 the fees collected pursuant to this act shall be credited to the
6 general fund of the state.

7 Sec. 37. (1) Fees for a person licensed or seeking licensure
8 as a real estate broker, associate broker, salesperson, or branch
9 office or seeking other licenses or approvals issued under
10 article 25 of the occupational code, MCL 339.2501 to 339.2518,
11 are as follows:

12	(a) Application processing fees:		
13	(i) Brokers and associate brokers as follows:		
14	(A) If paid through September 30, 2003 or		
15	after September 30, 2007.....	\$	20.00
16	(B) Beginning October 1, 2003 through		
17	September 30, 2007.....		35.00
18	(ii) Salespersons.....		10.00
19	(iii) Branch office.....		10.00
20	(b) License fees, per year:		
21	(i) Brokers and associate brokers.....		36.00
22	(ii) Salespersons.....		26.00
23	(c) Branch office fee, per year as follows:		
24	(i) If paid through September 30, 2003 or		
25	after September 30, 2007.....		10.00
26	(ii) Beginning October 1, 2003 through		
27	September 30, 2007.....		20.00
28	(d) Sale of out of state property:		
29	(i) Application to sell.....		20.00

1	(ii) Property registration.....	500.00
2	(iii) Renewal of approval to sell.....	20.00

3 (2) A fee shall not be required for the registration of
4 property approved under the land sales act, 1972 PA 286, MCL
5 565.801 to 565.835.

6 (3) The real estate education fund is established in the
7 state treasury and shall be administered by the department.
8 Fifteen dollars of each license fee received by the department
9 under subsection (1)(b) during that 3-year license cycle shall be
10 deposited with the state treasurer to the credit of the real
11 estate education fund. The department shall utilize the real
12 estate education fund only for the operation of departmental
13 programs related to education required of all licensees or
14 applicants for licensure under article 25 of the occupational
15 code, MCL 339.2501 to 339.2518. Any unexpended balance in the
16 real estate education fund at the end of a fiscal year shall
17 carry forward to the next fiscal year.

18 (4) The real estate enforcement fund is created in the state
19 treasury and shall be administered by the department. Beginning
20 October 1, 2003, \$15.00 of each license fee received by the
21 department under subsection (1)(b) during that 3-year license
22 cycle shall be deposited into the real estate enforcement fund.
23 The department **OF ATTORNEY GENERAL** shall utilize the real estate
24 enforcement fund only for the ~~enforcement of article 25 of the~~
25 ~~occupational code, MCL 339.2501 to 339.2518, regarding unlicensed~~
26 ~~activity as further described in section 601(1) and (2) and to~~

1 ~~reimburse the attorney general for expenses incurred in~~
2 ~~conducting prosecutions of such unlicensed practice~~
3 **INVESTIGATION AND ENFORCEMENT OF ACTIONS REGARDING UNLICENSED**
4 **ACTIVITY AND REAL ESTATE FRAUD.** Any unexpended balance in the
5 real estate enforcement fund at the end of a fiscal year shall
6 carry forward to the next fiscal year.