

# SENATE BILL No. 453

April 26, 2007, Introduced by Senators CASSIS and BASHAM and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1979 PA 152, entitled  
"State license fee act,"  
by amending section 39 (MCL 338.2239), as amended by 2003 PA 87.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

6	(a)	Application processing fee.....	\$ 15.00
7	(b)	Examination fees:	
8	(i)	Complete builder or maintenance and	
9		alteration contractor examination.....	50.00
10	(ii)	Law and rules portion.....	30.00

1	(iii)	Practice or trades portion.....	30.00
2	(iv)	Salesperson examination.....	30.00
3	(c)	Examination review.....	20.00
4	(d)	License fee <b>ONLY FOR THE FIRST LICENSE</b>	
5		<b>CYCLE OF AN INITIAL OR RENEWAL LICENSEE</b>	
6		<b>FOLLOWING THE EFFECTIVE DATE OF THE</b>	
7		<b>AMENDATORY ACT THAT ADDED SUBSECTION (3),</b>	
8		per year as follows.....	60.00
9	<del>—— (i)</del>	<del>If paid through September 30, 2003 or</del>	
10		<del>after September 30, 2007.....</del>	<del>30.00</del>
11	<del>—— (ii)</del>	<del>Beginning October 1, 2003 through</del>	
12		<del>September 30, 2007.....</del>	<del>40.00</del>
13	(E)	LICENSE FEE, PER YEAR.....	50.00

14           (2) THE BUILDER ENFORCEMENT FUND IS CREATED IN THE STATE  
15 TREASURY AND SHALL BE ADMINISTERED BY THE DEPARTMENT. A 1-TIME-  
16 ONLY \$30.00 ALLOCATION FROM A LICENSE FEE RECEIVED BY THE  
17 DEPARTMENT UNDER SUBSECTION (1) (D) DURING A SINGLE 3-YEAR LICENSE  
18 CYCLE SHALL BE DEPOSITED INTO THE BUILDER ENFORCEMENT FUND. THE  
19 DEPARTMENT SHALL MAKE THE \$30.00 ALLOCATION ONLY ONCE PER  
20 LICENSEE. IN THE CASE OF THE \$50.00 LICENSE FEE PAID UNDER  
21 SUBSECTION (1) (E), \$5.00 OF THAT \$50.00 FEE SHALL BE ALLOCATED TO  
22 THE BUILDER ENFORCEMENT FUND. IF ON DECEMBER 1 OF ANY YEAR  
23 FOLLOWING THE CALENDAR YEAR 2010, THE DEPARTMENT DETERMINES THAT  
24 THE BALANCE IN THE BUILDER ENFORCEMENT FUND IS MORE THAN  
25 \$3,000,000.00, THE \$5.00 ALLOCATION TO THE BUILDER ENFORCEMENT  
26 FUND FROM THE \$50.00 RENEWAL FEE DUE AFTER JANUARY 1 OF THE  
27 FOLLOWING YEAR SHALL NOT BE MADE. IF ON ANY SUBSEQUENT DECEMBER 1  
28 THE DEPARTMENT DETERMINES THAT THE BALANCE IN THE FUND IS LESS

1 THAN \$750,000.00, THE \$5.00 ALLOCATION SHALL RESUME FOR ANY  
2 RENEWAL FEE DUE AFTER JANUARY 1 OF THE FOLLOWING YEAR.  
3 NOTWITHSTANDING SECTION 3, THE DEPARTMENT SHALL UTILIZE THE  
4 BUILDER ENFORCEMENT FUND ONLY FOR THE ENFORCEMENT OF ARTICLE 24  
5 OF THE OCCUPATIONAL CODE, MCL 339.2401 TO 339.2412, REGARDING  
6 UNLICENSED ACTIVITY AS FURTHER DESCRIBED IN SECTION 601(1) AND  
7 (2) OF THE OCCUPATIONAL CODE, MCL 339.601, AND TO REIMBURSE THE  
8 ATTORNEY GENERAL OR PROSECUTING ATTORNEY FOR EXPENSES INCURRED IN  
9 CONDUCTING PROSECUTIONS OF SUCH UNLICENSED PRACTICE. ANY  
10 UNEXPENDED BALANCE IN THE BUILDER ENFORCEMENT FUND AT THE END OF  
11 A FISCAL YEAR SHALL CARRY FORWARD TO THE NEXT FISCAL YEAR.

12 Enacting section 1. This amendatory act does not take effect  
13 unless all of the following bills of the 94th Legislature are  
14 enacted into law:

15 (a) Senate Bill No. 452.

16

17 (b) Senate Bill No. 450.

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19 (c) Senate Bill No. 451.

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