

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senators Cassis, Basham, Barcia, Thomas, Bishop, Leland, Cherry, Emerson, Toy and Birkholz

ENROLLED SENATE BILL No. 631

AN ACT to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments," by amending sections 3 and 39 (MCL 338.2203 and 338.2239), section 3 as amended by 1993 PA 139 and section 39 as amended by 2003 PA 87.

The People of the State of Michigan enact:

Sec. 3. (1) The fees prescribed by this act shall be used only to offset the cost of operating the department.

(2) Except as otherwise provided in this act, the fees collected pursuant to this act shall be credited to the general fund of the state.

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 following the effective date of the amendatory act that added subsection (3), per year	60.00
(e) License fee, per year.....	50.00
(f) Code book fee, per license cycle or the cost to the department to provide the code book.....	65.00

(2) The per license cycle fee described in subsection (1)(f) shall be allocated for providing either a residential code book or a Michigan building code book. The applicant for an initial or renewal license shall choose the desired code book at the time of application.

(3) The builder enforcement fund is created in the state treasury and shall be administered by the department. 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. 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 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.

(4) A person licensed as a residential builder or a residential maintenance and alteration contractor under article 24 of the occupational code, MCL 339.2401 to 339.2412, as an individual and in the capacity of a qualifying officer, or who is licensed as a qualifying officer more than once, is only obligated to pay the code book fee once per license cycle.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 632.
- (b) Senate Bill No. 826.
- (c) Senate Bill No. 827.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor