

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4846

A bill to amend 1984 PA 192, entitled
"Forbes mechanical contractors act,"
by amending section 10 (MCL 338.980), as amended by 2004 PA 271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) ~~The~~**SUBJECT TO SUBSECTION (8), THE** examination
2 fee for a contractor's license is \$25.00 **IF PAID AFTER SEPTEMBER**
3 **30, 2012 AND \$100.00 IF PAID ON OR BEFORE SEPTEMBER 30, 2012.**
4 Except as otherwise provided in subsections (2) and (4), the
5 initial and per-year fee for the issuance of a contractor's license
6 is \$75.00 **IF PAID AFTER SEPTEMBER 30, 2012 AND \$100.00 IF PAID ON**
7 **OR BEFORE SEPTEMBER 30, 2012.**

8 (2) An initial or renewal contractor's license issued under
9 this act expires on August 31 every third year ~~after August 31,~~
10 ~~2001~~and is renewable not later than October 31 upon application
11 and payment of the license fee. For a person applying for an

1 initial or reinstatement contractor's license at a time other than
2 between August 31 and October 31 of the year in which the
3 department issues renewal licenses, the department shall compute
4 and charge the license fee on a yearly pro rata basis beginning in
5 the year of the application until the last year of the 3-year
6 license cycle. All licenses not renewed are void and may be
7 reinstated only upon application for reinstatement and the payment
8 of the license fee. A person who renews his or her license within 3
9 years after the license is voided pursuant to this section is not
10 subject to reexamination for the license.

11 (3) Beginning ~~on the effective date of the amendatory act that~~
12 ~~added subsection (5)~~ **JULY 23, 2004**, the department shall issue an
13 initial or renewal license not later than 90 days after the
14 applicant files a completed application. Receipt of the application
15 is considered the date the application is received by any agency or
16 department of the state of Michigan. If the application is
17 considered incomplete by the department, the department shall
18 notify the applicant in writing, or make the information
19 electronically available, within 30 days after receipt of the
20 incomplete application, describing the deficiency and requesting
21 the additional information. The 90-day period is tolled upon
22 notification by the department of a deficiency until the date the
23 requested information is received by the department. The
24 determination of the completeness of an application does not
25 operate as an approval of the application for the license and does
26 not confer eligibility of an applicant determined otherwise
27 ineligible for issuance of a license.

1 (4) If the department fails to issue or deny a license within
2 the time required by this section, the department shall return the
3 license fee and shall reduce the license fee for the applicant's
4 next renewal application, if any, by 15%. The failure to issue a
5 license within the time required under this section does not allow
6 the department to otherwise delay the processing of the
7 application, and that application, upon completion, shall be placed
8 in sequence with other completed applications received at that same
9 time. The department shall not discriminate against an applicant in
10 the processing of the application based upon the fact that the
11 license fee was refunded or discounted under this subsection.

12 (5) Beginning October 1, 2005, the director of the department
13 shall submit a report by December 1 of each year to the standing
14 committees and appropriations subcommittees of the senate and house
15 of representatives concerned with occupational issues. The director
16 shall include all of the following information in the report
17 concerning the preceding fiscal year:

18 (a) The number of initial and renewal applications the
19 department received and completed within the 90-day time period
20 described in subsection (3).

21 (b) The number of applications denied.

22 (c) The number of applicants not issued a license within the
23 90-day time period and the amount of money returned to licensees
24 under subsection (4).

25 (6) All fees and money received by the department for the
26 licensing of persons under this act, and any other income received
27 under this act, shall be paid into the state construction code fund

1 created by section 22 of the Stille-DeRossett-Hale single state
2 construction code act, 1972 PA 230, MCL 125.1522.

3 (7) The department shall annually submit to the members of the
4 legislature a comprehensive report detailing the expenditure of
5 additional money resulting from the 1989 amendatory act that
6 increased the fees contained in this section.

7 (8) As used in this section, "completed application" means an
8 application complete on its face and submitted with any applicable
9 licensing fees as well as any other information, records, approval,
10 security, or similar item required by law or rule from a local unit
11 of government, a federal agency, or a private entity but not from
12 another department or agency of the state of Michigan.