

SUBSTITUTE FOR
HOUSE BILL NO. 5823

A bill to amend 1956 PA 217, entitled
"Electrical administrative act,"
by amending section 3 (MCL 338.883), as amended by 2008 PA 371.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department of ~~energy, labor, and economic~~
2 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** shall grant licenses and
3 certificates **UNDER THIS ACT** to qualified applicants, issue orders
4 and promulgate rules necessary for the enforcement and
5 administration of this act, and enforce and administer this act.
6 The rules shall be promulgated pursuant to the administrative
7 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
8 (2) The examination fee for licensure of **ANY OF** the
9 following is \$25.00 if paid after September 30, ~~2012~~ **2015** and

1 \$100.00 if paid on or before September 30, ~~2012~~**2015**:

2 (a) Master electrician.

3 (b) Electrical contractor.

4 (c) Electrical journeyman.

5 (d) Fire alarm contractor.

6 (e) Fire alarm specialty technician.

7 (f) Sign specialty contractor.

8 (g) Sign specialist.

9 (3) The fee for **AN** initial ~~licensure~~**LICENSE**, **AN** apprentice
10 electrician registration, or renewal of a license relating to
11 electricians is as follows:

12 (a) If paid after September 30, ~~2012~~**2015**:

13 (i) Master electrician..... \$25.00

14 (ii) Electrical journeyman..... 20.00

15 (iii) Apprentice electrician..... 5.00

16 (b) If paid on or before September 30, ~~2012~~**2015**:

17 (i) Master electrician..... \$50.00

18 (ii) Electrical journeyman..... 40.00

19 (iii) Apprentice electrician..... 15.00

20 (4) The fee for **AN** initial fire alarm specialty technician
21 ~~licensure~~**LICENSE**, **A** fire alarm specialty apprentice technician
22 registration, or renewal of a license or registration is as
23 follows:

24 (a) If paid after September 30, ~~2012~~**2015**:

1 (i) Fire alarm specialty technician..... \$25.00
 2 (ii) Fire alarm specialty apprentice
 3 technician..... 5.00

4 (b) If paid on or before September 30, ~~2012~~**2015**:

5 (i) Fire alarm specialty technician..... \$50.00
 6 (ii) Fire alarm specialty apprentice
 7 technician..... 15.00

8 (5) The fee for **AN** initial sign specialist ~~license~~**LICENSE**
 9 or renewal of a sign specialist license is \$20.00 if paid after
 10 September 30, ~~2012~~**2015** and \$40.00 if paid on or before September
 11 30, ~~2012~~**2015**.

12 (6) An apprentice electrician or specialty apprentice
 13 technician registration expires on August 31 of each year and is
 14 renewable within 30 days after that date ~~upon payment of~~**IF** a
 15 renewal fee ~~of~~**IS PAID. THE AMOUNT OF THE FEE IS** \$10.00 if paid
 16 after September 30, ~~2012~~**2015** and a ~~\$15.00 renewal fee~~ if paid on
 17 or before September 30, ~~2012~~**2015**. An applicant shall submit
 18 proof of a sponsoring employer for initial or renewal
 19 registration.

20 (7) Except as otherwise provided in subsection (8), a
 21 license issued under this act expires on December 31 of each year
 22 and is renewable not more than 60 days after that date ~~upon~~**IF AN**
 23 application **IS SUBMITTED** and ~~payment of~~ the appropriate fee **IS**
 24 **PAID**. After March 1 of each year or after March 1 of the renewal
 25 year in the case of electrical contractors, fire alarm

contractors, ~~and OR~~ sign specialty contractors, a license **THAT IS** not renewed is void and may **ONLY** be reinstated ~~only upon IF AN~~ application for reinstatement **IS SUBMITTED** and ~~payment of the~~ appropriate license fee for the appropriate class **IS PAID**.

(8) ~~The A~~ license for an electrical contractor, fire alarm contractor, ~~and OR~~ sign specialty contractor expires December 31 of every third year. ~~The A~~ license for an electrical contractor, fire alarm contractor, ~~and OR~~ sign specialty contractor is renewable not later than on March 1 every third year ~~upon BY~~ **SUBMITTING AN** application and ~~payment~~ **PAYING 1 OF THE FOLLOWING AMOUNTS:**

(A) **A FEE** of \$200.00 if paid after September 30, ~~2012-2015~~ and \$300.00 if paid on or before September 30, ~~2012-2015~~ by electrical contractors and fire alarm contractors. ~~and application and payment~~

(B) **A FEE** of \$120.00 if paid after September 30, ~~2012-2015~~ and \$200.00 if paid on or before September 30, ~~2012-2015~~ by sign specialty contractors. ~~In the case of~~

(9) **IF** a person applying for an initial or reinstatement contractor's license at a time other than between December 31 and March 1 of the year in which the department issues renewal licenses, the department **OF LICENSING AND REGULATORY AFFAIRS** shall compute and charge the 3-year license fee described in ~~this~~ subsection (8) on a yearly pro rata basis beginning in the year of the application until the last year of the 3-year license cycle.

(10) ~~(9) Beginning July 23, 2004, the~~ **THE** department of

1 ~~energy, labor, and economic growth~~ **LICENSING AND REGULATORY**
 2 **AFFAIRS** shall issue an initial or renewal license for **AN**
 3 ~~electrical contractors, CONTRACTOR, fire alarm contractors, and~~
 4 **CONTRACTOR, OR** sign specialty ~~contractors~~ **CONTRACTOR** not later
 5 than 90 days after the applicant files a completed application.
 6 ~~Receipt~~ **THE DATE OF FILING** of the application is considered the
 7 date the application is received by any agency or department of
 8 ~~the~~ **THIS** state. ~~of Michigan.~~ If the application is considered
 9 incomplete by the department of ~~energy, labor, and economic~~
 10 ~~growth,~~ **LICENSING AND REGULATORY AFFAIRS**, the department of
 11 ~~energy, labor, and economic growth~~ **LICENSING AND REGULATORY**
 12 **AFFAIRS** shall notify the applicant in writing, or make the
 13 information electronically available **TO THE APPLICANT**, within 30
 14 days after ~~receipt~~ **THE DATE OF FILING** of the incomplete
 15 application, describing the deficiency and requesting the
 16 additional information. The 90-day period is tolled ~~upon~~ **FROM THE**
 17 **DATE OF** notification by the department of ~~energy, labor, and~~
 18 ~~economic growth~~ **LICENSING AND REGULATORY AFFAIRS** of a deficiency
 19 until the date the requested information is received by the
 20 department of ~~energy, labor, and economic growth.~~ **LICENSING AND**
 21 **REGULATORY AFFAIRS.** The determination of the completeness of an
 22 application does not operate as an approval of the application
 23 for the license and does not confer eligibility of an applicant
 24 determined otherwise ineligible for issuance of a license.
 25 (11) ~~(10)~~ If the department of ~~energy, labor, and economic~~
 26 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** fails to issue or deny a
 27 license within the time required by this section, the department

1 of ~~energy, labor, and economic growth~~ **LICENSING AND REGULATORY**
 2 **AFFAIRS** shall return the license fee and shall reduce the license
 3 fee for the applicant's next renewal application, if any, by 15%.
 4 The failure to issue a license within the time required under
 5 this section does not allow the department of ~~energy, labor, and~~
 6 ~~economic growth~~ **LICENSING AND REGULATORY AFFAIRS** to otherwise
 7 delay the processing of the application, and **THE DEPARTMENT SHALL**
 8 **PLACE** that application, ~~upon completion, shall be placed~~ **WHEN**
 9 **COMPLETED**, in sequence with other completed applications received
 10 at that same time. The department of ~~energy, labor, and economic~~
 11 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** shall not discriminate
 12 against an applicant in the processing of the application based
 13 ~~upon~~ **ON** the fact that the license fee was refunded or discounted
 14 under this subsection.

15 (12) ~~(11) Beginning October 1, 2005, the~~ **THE** director of the
 16 department of ~~energy, labor, and economic growth~~ **LICENSING AND**
 17 **REGULATORY AFFAIRS** shall submit a report by December 1 of each
 18 year to the standing committees and appropriations subcommittees
 19 of the senate and house of representatives concerned with
 20 occupational issues. The director shall include all of the
 21 following information in the report concerning the preceding
 22 fiscal year:

23 (a) The number of initial and renewal applications the
 24 department received and completed within the 90-day time period
 25 described in subsection ~~(9)~~ **(10)**.

26 (b) The number of applications denied **BY THE DEPARTMENT**.

27 (c) The number of applicants **THAT WERE** not issued a license

1 within the 90-day time period and the amount of money returned to
2 licensees under subsection ~~(10)~~. **(11)**.

3 **(13)** ~~(12)~~ The board shall provide for an ~~examination to be~~
4 ~~given to an applicant seeking licensure under this act for a~~
5 ~~specific class of license.~~ **THE EXAMINATIONS REQUIRED UNDER**
6 **SECTIONS 3B TO 3K.** The board and department of ~~energy, labor, and~~
7 ~~economic growth,~~ **LICENSING AND REGULATORY AFFAIRS,** acting
8 jointly, may develop an examination or contract for the use of an
9 examination developed by another governmental subdivision or any
10 other entity, including, but not limited to, the national
11 assessment institute, ~~which~~ **THAT** the department of ~~energy, labor,~~
12 ~~and economic growth~~ **LICENSING AND REGULATORY AFFAIRS** and the
13 board, acting jointly, review and determine is designed to test
14 the qualifications and competency of applicants seeking ~~licensure~~
15 **A LICENSE** under this act.

16 ~~——— (13)~~ **ALL OF THE FOLLOWING APPLY TO THE EXAMINATIONS**
17 **DESCRIBED IN THIS SUBSECTION:**

18 **(A)** The examination for electrical journeymen **UNDER SECTION**
19 **3D** and master electricians **UNDER SECTION 3C** shall include, but
20 not be limited to, questions designed to test an individual's
21 knowledge of this act, any rules promulgated under this act, the
22 Stille-DeRossett-Hale single state construction code act, ~~and any~~
23 ~~code adopted pursuant to~~ **UNDER** section 4 of that act, ~~and~~ **MCL**
24 **125.1504,** any code adopted ~~pursuant to~~ **UNDER** section 8a of that
25 act, ~~as well as~~ **MCL 125.1508A, AND** the theory relative to those
26 codes. ~~In the case of the~~

27 **(B) THE** examination for an ~~electrical contractor's license,~~

~~the examination~~ **CONTRACTORS UNDER SECTION 3B** shall include, but not be limited to, questions designed to test an individual's knowledge of this act, any rules promulgated under this act, the Stille-DeRossett-Hale single state construction code act, and the administration and enforcement procedures of any code adopted pursuant to ~~UNDER~~ section 8a of that act, **MCL 125.1508A**.

(C) ~~(14) The board shall provide for an examination to be given to an applicant seeking FOR fire alarm specialty licensure under this act. The examinations for fire alarm specialty licensure~~ **LICENSES UNDER SECTION 3F, 3G, OR 3H** shall include questions designed to test an individual's knowledge of this act, any rules promulgated under this act, and the Stille-DeRossett-Hale single state construction code act, as relating to fire alarm systems. The board and department of ~~energy, labor, and economic growth,~~ **LICENSING AND REGULATORY AFFAIRS**, acting jointly, may require, as a condition for licensure, certification of the applicant in the field of fire alarm systems technology by the national institution for certification in engineering technology or equivalent **CERTIFICATION** as determined by the board.

(D) ~~(15) The board shall provide for an examination to be given to an applicant seeking sign specialty licensure under this act. The examinations for sign specialty licensure~~ **LICENSES UNDER SECTION 3J OR 3K** shall include, but not be limited to, questions designed to test an individual's knowledge of this act and any rules promulgated under this act relating to electric signs and applicable sections of the code.

House Bill No. 5823 (H-1) as amended September 19, 2012

1 (E) ~~(16)~~ Examinations shall be offered at locations
 2 throughout the state as determined by the board. The department
 3 of ~~energy, labor, and economic growth~~ **LICENSING AND REGULATORY**
 4 **AFFAIRS** in consultation with the board may designate a person to
 5 give the examination at any location. Copies of examinations
 6 developed by a governmental subdivision shall be presented for
 7 board approval, ~~and~~ shall remain the property of the governmental
 8 subdivision, and shall be returned to that governmental
 9 subdivision without having been copied or reproduced in any
 10 manner.

11 (14) ~~(17)~~ The department of ~~energy, labor, and economic~~
 12 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** shall annually submit to
 13 the members of the legislature a comprehensive report detailing
 14 the expenditure of the additional money resulting from the 1989
 15 amendatory act that increased the fees contained in this section.

[(15) THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS SHALL
 WAIVE ANY FEE OTHERWISE REQUIRED UNDER THIS SECTION IF THE PERSON
 RESPONSIBLE FOR PAYING THE FEE MEETS ANY OF THE FOLLOWING:

(A) IF THE PERSON IS AN INDIVIDUAL, HE OR SHE IS, AND PROVIDES
 PROOF SATISFACTORY TO THE DEPARTMENT THAT HE OR SHE IS, AN HONORABLY
 DISCHARGED VETERAN OF THE ARMED FORCES OF THE UNITED STATES.

(B) IF THE PERSON IS A NONPROFIT CORPORATION ORGANIZED ON A
 MEMBERSHIP OR DIRECTORSHIP BASIS, A MAJORITY OF THE MEMBERS OR
 DIRECTORS, AS APPLICABLE, ARE, AND THE PERSON PROVIDES PROOF
 SATISFACTORY TO THE DEPARTMENT THAT A MAJORITY OF THE MEMBERS OR
 DIRECTORS ARE, HONORABLY DISCHARGED VETERANS OF THE ARMED FORCES OF THE
 UNITED STATES.

(C) IF THE PERSON IS NOT AN INDIVIDUAL OR A NONPROFIT CORPORATION
 DESCRIBED IN SUBDIVISION (B), A MAJORITY OF THE SHARES OR OTHER
 OWNERSHIP INTERESTS OF THE PERSON ARE, AND THE PERSON PROVIDES PROOF
 SATISFACTORY TO THE DEPARTMENT THAT THOSE INTERESTS ARE, HELD BY 1 OR
 MORE HONORABLY DISCHARGED VETERANS OF THE ARMED FORCES OF THE UNITED
 STATES.

16 (16)] ~~(18)~~ As used in this section, "completed application"
 17 means an application **THAT IS** complete on its face and submitted
 18 with any applicable licensing fees ~~as well as~~ **AND** any other
 19 information, records, approval, security, or similar item
 20 required by law or rule from a local unit of government, a
 21 federal agency, or a private entity but not from another
 22 department or agency of ~~the~~ **THIS** state. ~~of Michigan.~~