

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Rep. Pscholka

ENROLLED HOUSE BILL No. 5821

AN ACT to amend 2002 PA 733, entitled "An act to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing, plumbing contractors, and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending sections 31 and 35 (MCL 338.3541 and 338.3545), as amended by 2008 PA 370.

The People of the State of Michigan enact:

Sec. 31. (1) A license or apprentice registration issued under this act must be renewed not more than 60 days after the renewal date. It is the responsibility of a licensee or registrant to renew a license or registration. The department shall send a renewal application to the last known address of a licensee or registrant on file with the department. Every holder of a license or registration issued under this act shall promptly notify the department of a change in his or her business or residence address. The failure of a licensee or registrant to notify the department of a change of address does not extend the expiration date of a license or registration. The department may issue licenses for up to 3 years in duration.

(2) The annual fees for initial licensure, apprentice plumber registration, or renewal of a license and registration issued under this act are as follows:

(a) If paid after September 30, 2015:

(i) Journey plumber	\$20.00.
(ii) Apprentice plumber.....	\$ 5.00.

(b) If paid on or before September 30, 2015:

(i) Journey plumber	\$40.00.
(ii) Apprentice plumber.....	\$15.00.

(3) A license or apprentice registration that is not renewed within 60 days of expiration may be reinstated only by applying to the board for reinstatement and the payment of the annual renewal fee and the following reinstatement fee:

(a) If paid after September 30, 2015:

(i) Journey plumber.....	\$25.00.
(ii) Apprentice plumber.....	\$10.00.

(b) If paid on or before September 30, 2015:

- (i) Journey plumber \$50.00.
- (ii) Apprentice plumber..... \$ 20.00.

(4) An individual who is requesting renewal of a license under subsection (3) within 3 years after the license is expired is not subject to reexamination for the license but is required to pay the reinstatement fee and the annual renewal fee for each year the license was not renewed. An individual who fails to renew a license for more than 3 consecutive years is required to meet the experience and other requirements and take an examination for the class of license requested.

(5) Examination fees under this act are as follows:

(a) If paid after September 30, 2015:

- (i) Plumbing contractor \$50.00.
- (ii) Master plumber \$50.00.
- (iii) Journey plumber \$50.00.

(b) If paid on or before September 30, 2015:

- (i) Plumbing contractor \$100.00.
- (ii) Master plumber \$100.00.
- (iii) Journey plumber \$100.00.

(6) The department shall issue an initial master plumber or plumbing contractor license for a period of up to 3 years. A master plumber or plumbing contractor license is renewable for periods of 3 years. If an individual is applying for initial or reinstatement license at a time other than between April 30 and June 30 of the year in which the department issues renewal licenses, the department shall compute and charge the license fee on a yearly prorated basis beginning the year of application until the last year of the 3-year license period.

(7) The initial and renewal fee for a master plumber or plumbing contractor license issued under this act are as follows:

(a) If paid after September 30, 2015:

- (i) Plumbing contractor \$200.00.
- (ii) Master plumber \$200.00.

(b) If paid on or before September 30, 2015:

- (i) Plumbing contractor \$300.00.
- (ii) Master plumber \$300.00.

(8) A plumbing contractor or master plumber license that is not renewed within 60 days of expiration may be reinstated only by applying to the board and paying the renewal fee and, if paid after September 30, 2015, an \$85.00 reinstatement fee, and \$100.00 if paid on or before September 30, 2015.

(9) The department shall issue an initial or renewal license for a master plumber or a plumbing contractor under this act not later than 90 days after the applicant files a completed application. The date of filing of the application is considered the date the application is received by any agency or department of this state. If the application is considered incomplete by the department, the department shall notify the applicant in writing, or make the information electronically available to the applicant, within 30 days after the date of filing of the incomplete application, describing the deficiency and requesting the additional information. The 90-day period is tolled from the date of notification by the department of a deficiency until the date the requested information is received by the department. The determination of the completeness of an application does not operate as an approval of the application for the license and does not confer eligibility of an applicant determined otherwise ineligible for issuance of a license.

(10) If the department fails to issue or deny a license within the time required under this section, the department shall return the license fee and shall reduce the license fee for the applicant's next renewal application, if any, by 15%. The failure to issue a license within the time required under this section does not allow the department to otherwise delay the processing of the application, and the department shall place that application, when completed, in sequence with other completed applications received at that same time. The department shall not discriminate against an applicant in the processing of the application based on the fact that the license fee was refunded or discounted under this subsection.

(11) The director shall submit a report by December 1 of each year to the standing committees and appropriations subcommittees of the senate and house of representatives concerned with occupational issues. The director shall include all of the following information in the report concerning the preceding fiscal year:

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

(b) The number of applications denied by the department.

(c) The number of applicants who were not issued a license within the 90-day time period and the amount of money returned to licensees under subsection (10).

(12) The department shall waive any fee otherwise required under this section or section 35 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.

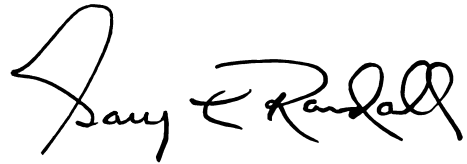
(b) If the person is a nonprofit corporation organized on a membership or directorship basis, a majority of the members or directors, as applicable, are, and the person provides proof satisfactory to the department that a majority of the members or directors are, honorably discharged veterans of the 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.

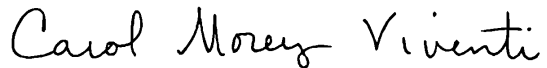
(13) As used in this section, "completed application" means an application that is complete on its face and submitted with any applicable licensing fees and any other information, records, approval, security, or similar item required by law or rule from a local unit of government, a federal agency, or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

Sec. 35. If a license or registration is lost or destroyed, the department shall issue a new license or registration, without examination, if a fee of \$20.00 is paid after September 30, 2015, and a fee of \$30.00 is paid on or before September 30, 2015, and an application for a new license or registration is submitted, accompanied by a written statement made by the licensee or registrant that the license or registration was lost or destroyed.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved

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Governor