

Act No. 313
Public Acts of 2012
Approved by the Governor
September 30, 2012
Filed with the Secretary of State
October 1, 2012
EFFECTIVE DATE: October 1, 2012

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

Introduced by Rep. Psycholka

ENROLLED HOUSE BILL No. 5823

AN ACT to amend 1956 PA 217, entitled "An act to safeguard persons and property; to provide for licensing and regulation of electricians and electrical contractors concerning the construction, alteration, installation of electrical wiring and equipment and for the inspection of electrical wiring; to create an electrical administrative board; to create certain committees for certain purposes; to provide certain powers and duties for certain departments; to provide for the assessment of certain fees and for the promulgation of rules; and to prescribe penalties for violations of this act," by amending section 3 (MCL 338.883), as amended by 2008 PA 371.

The People of the State of Michigan enact:

Sec. 3. (1) The department of licensing and regulatory affairs shall grant licenses and certificates under this act to qualified applicants, issue orders and promulgate rules necessary for the enforcement and administration of this act, and enforce and administer this act. The rules shall be promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(2) The examination fee for licensure of any of the following is \$25.00 if paid after September 30, 2015 and \$100.00 if paid on or before September 30, 2015:

- (a) Master electrician.
- (b) Electrical contractor.
- (c) Electrical journeyman.
- (d) Fire alarm contractor.
- (e) Fire alarm specialty technician.
- (f) Sign specialty contractor.
- (g) Sign specialist.

(3) The fee for an initial license, an apprentice electrician registration, or renewal of a license relating to electricians is as follows:

(a) If paid after September 30, 2015:

(i) Master electrician.....	\$25.00
(ii) Electrical journeyman.....	20.00
(iii) Apprentice electrician.....	5.00

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

(i) Master electrician.....	\$50.00
(ii) Electrical journeyman.....	40.00
(iii) Apprentice electrician.....	15.00

(4) The fee for an initial fire alarm specialty technician license, a fire alarm specialty apprentice technician registration, or renewal of a license or registration is as follows:

(a) If paid after September 30, 2015:

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

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

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

(5) The fee for an initial sign specialist license or renewal of a sign specialist license is \$20.00 if paid after September 30, 2015 and \$40.00 if paid on or before September 30, 2015.

(6) An apprentice electrician or specialty apprentice technician registration expires on August 31 of each year and is renewable within 30 days after that date if a renewal fee is paid. The amount of the fee is \$10.00 if paid after September 30, 2015 and \$15.00 if paid on or before September 30, 2015. An applicant shall submit proof of a sponsoring employer for initial or renewal registration.

(7) Except as otherwise provided in subsection (8), a license issued under this act expires on December 31 of each year and is renewable not more than 60 days after that date if an application is submitted and the appropriate fee is paid. After March 1 of each year or after March 1 of the renewal year in the case of electrical contractors, fire alarm contractors, or sign specialty contractors, a license that is not renewed is void and may only be reinstated if an application for reinstatement is submitted and the appropriate license fee for the appropriate class is paid.

(8) A license for an electrical contractor, fire alarm contractor, or sign specialty contractor expires December 31 of every third year. A license for an electrical contractor, fire alarm contractor, or sign specialty contractor is renewable not later than on March 1 every third year by submitting an application and paying 1 of the following amounts:

(a) A fee of \$200.00 if paid after September 30, 2015 and \$300.00 if paid on or before September 30, 2015 by electrical contractors and fire alarm contractors.

(b) A fee of \$120.00 if paid after September 30, 2015 and \$200.00 if paid on or before September 30, 2015 by sign specialty contractors.

(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 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) The department of licensing and regulatory affairs shall issue an initial or renewal license for an electrical contractor, fire alarm contractor, or sign specialty contractor 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 of licensing and regulatory affairs, the department of licensing and regulatory affairs 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 licensing and regulatory affairs of a deficiency until the date the requested information is received by the department of licensing and regulatory affairs. 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.

(11) If the department of licensing and regulatory affairs fails to issue or deny a license within the time required by this section, the department of licensing and regulatory affairs 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 of licensing and regulatory affairs 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 of licensing and regulatory affairs 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.

(12) The director of the department of licensing and regulatory affairs 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 (10).

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

(c) The number of applicants that were not issued a license within the 90-day time period and the amount of money returned to licensees under subsection (11).

(13) The board shall provide for the examinations required under sections 3b to 3k. The board and department of licensing and regulatory affairs, acting jointly, may develop an examination or contract for the use of an examination developed by another governmental subdivision or any other entity, including, but not limited to, the national assessment institute, that the department of licensing and regulatory affairs and the board, acting jointly, review and determine is designed to test the qualifications and competency of applicants seeking a license under this act. All of the following apply to the examinations described in this subsection:

(a) The examination for electrical journeymen under section 3d and master electricians under section 3c 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, any code adopted under section 4 of that act, MCL 125.1504, any code adopted under section 8a of that act, MCL 125.1508a, and the theory relative to those codes.

(b) The examination for electrical 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 under section 8a of that act, MCL 125.1508a.

(c) The examination for fire alarm specialty 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 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) The examination for sign specialty 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.

(e) Examinations shall be offered at locations throughout the state as determined by the board. The department of licensing and regulatory affairs in consultation with the board may designate a person to give the examination at any location. Copies of examinations developed by a governmental subdivision shall be presented for board approval, shall remain the property of the governmental subdivision, and shall be returned to that governmental subdivision without having been copied or reproduced in any manner.

(14) The department of licensing and regulatory affairs shall annually submit to the members of the legislature a comprehensive report detailing the expenditure of the additional money resulting from the 1989 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:

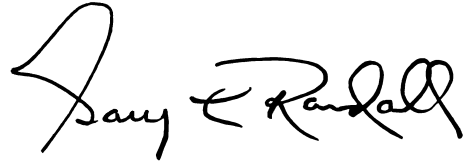
(a) If the person is an individual, he or she is, and provides proof satisfactory to the department that he or she is, an honorably discharged veteran of the armed forces of the United States.

(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.

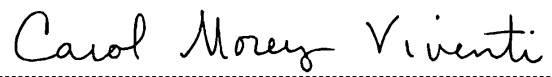
(c) If the person is not an individual or a nonprofit corporation described in subdivision (b), a majority of the shares or other ownership interests of the person are, and the person provides proof satisfactory to the department that those interests are, held by 1 or more honorably discharged veterans of the armed forces of the United States.

(16) 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.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor