

# HOUSE BILL No. 5315

February 9, 2016, Introduced by Reps. Barrett and Iden and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2404 (MCL 339.2404), as amended by 2014 PA 176.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2404. (1) Except as provided in section 2404c, the  
2 department may require an applicant, a licensee, or each partner,  
3 trustee, director, officer, member, or shareholder of an applicant  
4 or licensee to submit evidence of good moral character. Before the  
5 department issues a license, an applicant shall submit a copy of  
6 his or her operator's license or state personal identification card  
7 to the department. The department may use the license or card only  
8 for proof of identity of the applicant.

9           (2) Except as provided in section 2404c, the department shall  
10 require that an applicant for a license under this article pass an  
11 examination that establishes that the applicant has a fair

1 knowledge of the obligations of a residential builder or  
2 residential maintenance and alteration contractor to the public and  
3 the applicant's principal, and the statutes relating to the  
4 applicant's licensure.

5 (3) Except as provided in section 2404c, the department may  
6 issue a residential maintenance and alteration contractor's license  
7 to an individual who applies for the license and who qualifies for  
8 the license by passing the examination. A license authorizes the  
9 licensee, according to the applicant's qualifications, crafts, and  
10 trades, to engage in the activities of a residential maintenance  
11 and alteration contractor. A license includes the following crafts  
12 and trades: carpentry; concrete; swimming pool installation;  
13 waterproofing a basement; excavation; insulation work; masonry  
14 work; ~~painting and decorating~~; roofing; siding and gutters; screen  
15 or storm sash installation; tile and marble work; and house  
16 wrecking. A license shall specify the particular craft or trade for  
17 which the licensee is qualified. This subsection does not prohibit  
18 a specialty contractor from taking and executing a contract  
19 involving the performance of the craft or trade for which the  
20 contractor holds a license and 1 or more other crafts or trades if  
21 the performance of the work in the other craft or trade is  
22 incidental and supplemental to the performance of work in the craft  
23 or trade for which the specialty contractor is licensed.

24 (4) A residential builder or residential maintenance and  
25 alteration contractor shall maintain a place of business in this  
26 state. If a residential builder or residential maintenance and  
27 alteration contractor maintains more than 1 place of business in

1 this state, the department shall issue a branch office license to  
2 the builder or contractor for each place of business maintained by  
3 the builder or contractor.

4 (5) The department shall issue the license of a residential  
5 builder and residential maintenance and alteration contractor for a  
6 period of 3 years in duration.

7 (6) An applicant for renewal of a residential builder or  
8 maintenance and alteration contractor license shall state to the  
9 department that he or she has a current copy of the Michigan  
10 residential code and meets the appropriate requirements regarding  
11 continuing competency described in this article or rules  
12 promulgated under this article.

13 (7) A licensee shall maintain documentation, for at least 5  
14 years, of activities that meet the continuing competency  
15 requirements under this article.

16 Enacting section 1. This amendatory act takes effect 90 days  
17 after the date it is enacted into law.