REGULATED OCCUPATION SUPPORT ENFORCEMENT ACT

Act 236 of 1996

AN ACT to provide for the suspension of certain occupational licenses under certain circumstances; to require social security numbers on applications for occupational licenses as required by federal law; and to prescribe the powers and duties of certain state agencies and departments.

History: 1996, Act 236, Eff. Jan. 1, 1997 ;-- Am. 1998, Act 331, Imd. Eff. Aug. 10, 1998

The People of the State of Michigan enact:

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338.3431 Short title.

Sec. 1.

This act shall be known and may be cited as the "regulated occupation support enforcement act".

History: 1996, Act 236, Eff. Jan. 1, 1997

338.3432 Definitions.

Sec. 2.

As used in this act:

(a) "License" means a certificate, registration, or license issued by an occupational regulatory agency that allows an individual to engage in a regulated occupation or that allows an individual to use a specific title in the practice of an occupation, profession, or vocation.

(b) "Occupational regulatory agency" means a department, bureau, or agency of this state that has regulatory authority over a regulated occupation.

(c) "Office of the friend of the court" means an agency created by section 3 of the friend of the court act, Act No. 294 of the Public Acts of 1982, being section 552.503 of the Michigan Compiled Laws.

(d) "Regulated occupation" means an occupation, profession, or vocation that requires a license as a predicate for the practice of the occupation, profession, or vocation or that provides for the use of a specific title in the practice of the occupation, profession, or vocation.

History: 1996, Act 236, Eff. Jan. 1, 1997

338.3433 Suspension order issued pursuant to support and parenting time enforcement act; compliance.

Sec. 3.

An occupational regulatory agency shall comply with a suspension order issued as provided in the support and parenting time enforcement act, Act No. 295 of the Public Acts of 1982, being sections 552.601 to 552.650 of the Michigan Compiled Laws, within 7 business days after receipt of the suspension order.

History: 1996, Act 236, Eff. Jan. 1, 1997

338.3434 Rescission of suspension order; procedure to reinstate license.

Sec. 4.

An order rescinding a suspension order issued under the support and parenting time enforcement act, Act No. 295 of the Public Acts of 1982, being sections 552.601 to 552.650 of the Michigan Compiled Laws, is effective upon its entry by the court and payment by the licensee of the customary reinstatement fee, if any, charged by the occupational regulatory agency. The occupational regulatory agency shall reinstate the license of a licensee whose suspension order is rescinded within 7 business days after receipt of the rescission order and payment of the appropriate reinstatement fee. An occupational regulatory agency shall send a notice of the license reinstatement to the licensee upon reinstatement.

History: 1996, Act 236, Eff. Jan. 1, 1997

338.3434a Social security number; inclusion on license application form; disclosure prohibited; violation; penalty; exception.

Sec. 4a.

(1) In order to facilitate the enforcement and administration of this act and as required to comply with federal law, an occupational regulatory agency shall require each applicant for a license or renewal of a license to include his or her social security number on the application form. An occupational regulatory agency shall not issue or renew a license unless the applicant's social security number is on file with the occupational regulatory agency as required to comply with federal law. An occupational regulatory agency shall not display a licensee's social security number on the licensee's occupational license.

(2) A person shall not intentionally disclose, in a manner not authorized by law or rule, a social security number collected as required by this section. A violation of this subsection is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500.00, or both. A second or subsequent violation of this subsection is a felony punishable by imprisonment for not more than 4 years or a fine of not more than $2,000.00, or both.

(3) A requirement under this section to include a social security number on an application does not apply to an applicant who demonstrates he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number under these circumstances. The occupational regulatory agency shall inform the applicant of this possible exemption.

History: Add. 1998, Act 331, Imd. Eff. Aug. 10, 1998
Compiler's Notes: Enacting section 2 of 1998 PA 331 provides:"Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity."

338.3435 Effective date.

Sec. 5.

This act shall take effect January 1, 1997.

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History: 1996, Act 236, Eff. Jan. 1, 1997

338.3436 Conditional effective date.

Sec. 6.

This act shall not take effect unless all of the following bills of the 88th Legislature are enacted into law:

(a) Senate Bill No. 881.
(b) House Bill No. 5384.
(c) House Bill No. 5386.
(d) House Bill No. 5387.
(e) House Bill No. 5388.
(f) House Bill No. 5389.

History: 1996, Act 236, Eff. Jan. 1, 1997

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