

Act No. 268  
Public Acts of 2004  
Approved by the Governor  
July 22, 2004  
Filed with the Secretary of State  
July 23, 2004  
EFFECTIVE DATE: July 23, 2004

**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2004**

**Introduced by Reps. Brandenburg, Richardville, Shackleton, Stahl, Voorhees, Amos, Palsrok, Taub, Meyer, LaJoy, Garfield, Nitz, DeRoche, Milosch, Pumford, Hummel, Steil, Koetje, Bisbee, Hune, Tabor, Shaffer, DeRossett, Ehardt, Gaffney, Newell, Caswell, Walker, Moolenaar, Acciavatti, Huizenga, Caul, Kooiman, Hoogendyk, Nofs and Sheen**

# **ENROLLED HOUSE BILL No. 5889**

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 section 31 (MCL 338.3541).

*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) Journey plumber ..... \$20.00.
- (b) Apprentice plumber ..... \$ 5.00.

(3) All licenses and apprentice registrations not renewed within 60 days of expiration may be reinstated only upon application to the board for reinstatement and the payment of the annual renewal fee and the following reinstatement fee:

- (a) Journey plumber ..... \$25.00.
- (b) Apprentice plumber ..... \$10.00.

(4) A person requesting renewal of a license within 3 years after the license is expired under subsection (3) is not subject to reexamination for the license but is required to pay the reinstatement fee and the annual renewal fee for each year not renewed. A person 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 are as follows:

- (a) Plumbing contractor ..... \$50.00.
- (b) Master plumber ..... \$50.00.
- (c) Journey plumber ..... \$50.00.

(6) The department shall issue an initial master plumber and plumbing contractor license for a period of up to 3 years. The master plumber and plumbing contractor licenses are renewable for periods of 3 years. For a person 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 and plumbing contractor license issued under this act are as follows:

- (a) Plumbing contractor..... \$200.00.
- (b) Master plumber..... \$200.00.

(8) All plumbing contractor and master plumber licenses not renewed within 60 days of expiration may be reinstated only upon application submitted to the board and payment of the renewal fee and an \$85.00 reinstatement fee.

(9) Beginning on the effective date of the amendatory act that added this subsection, the department shall issue an initial or renewal license for a master plumber or a plumbing contractor not later than 90 days after the applicant files a completed application. Receipt of the application is considered the date the application is received by any agency or department of the state of Michigan. If the application is considered incomplete by the department, the department shall notify the applicant in writing, or make the information electronically available, within 30 days after receipt of the incomplete application, describing the deficiency and requesting the additional information. The 90-day period is tolled upon 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.

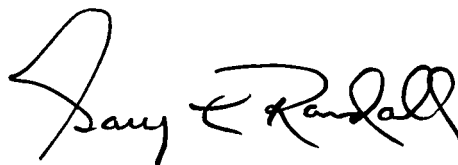
(10) If the department fails to issue or deny a license within the time required by this section, the department shall return the license fee and shall reduce the license fee for the applicant's next renewal application, if any, by 15%. The failure to issue a license within the time required under this section does not allow the department to otherwise delay the processing of the application, and that application, upon completion, shall be placed 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 upon the fact that the license fee was refunded or discounted under this subsection.

(11) Beginning October 1, 2005, the director of the department 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.
- (c) The number of applicants not issued a license within the 90-day time period and the amount of money returned to licensees under subsection (10).

(12) As used in this section, "completed application" means an application complete on its face and submitted with any applicable licensing fees as well as 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 the state of Michigan.

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 \_\_\_\_\_

\_\_\_\_\_  
Governor