

Act No. 275
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. Robertson, 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, Kooiman, Caul, Hoogendyk, Nofs and Sheen

ENROLLED HOUSE BILL No. 5900

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 1997 PA 120.

The People of the State of Michigan enact:

Sec. 3. (1) The department shall grant licenses and certificates 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 the following is \$25.00:

- (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 initial licensure, apprentice electrician registration, or renewal of a license relating to electricians is as follows:

(a) Master electrician.....	\$25.00
(b) Electrical journeyman.....	20.00
(c) Apprentice electrician.....	5.00

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

- (a) Fire alarm specialty technician..... \$25.00
 - (b) Fire alarm specialty apprentice technician 5.00
- (5) The fee for initial sign specialist licensure or renewal of a sign specialist license is \$20.00.

(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 upon payment of a \$10.00 renewal fee. 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 upon application and payment of the appropriate fee. After March 1 of each year or after March 1 of the renewal year in the case of electrical contractors, fire alarm contractors, and sign specialty contractors, a license not renewed is void and may be reinstated only upon application for reinstatement and payment of the appropriate license fee for the appropriate class.

(8) The license for an electrical contractor, fire alarm contractor, and sign specialty contractor expires December 31 of every third year. The license for an electrical contractor, fire alarm contractor, and sign specialty contractor is renewable not later than on March 1 every third year upon application and payment of \$200.00 by electrical contractors and fire alarm contractors and application and payment of \$120.00 by sign specialty contractors. In the case of 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 shall compute and charge the 3-year license fee described in this subsection on a yearly pro rata basis beginning in the year of the application until the last year of the 3-year license cycle.

(9) Beginning the effective date of the amendatory act that added this subsection, the department of labor and economic growth shall issue an initial or renewal license for electrical contractors, fire alarm contractors, and sign specialty contractors 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 of labor and economic growth, the department of labor and economic growth 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 labor and economic growth of a deficiency until the date the requested information is received by the department of labor and economic growth. 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 of labor and economic growth fails to issue or deny a license within the time required by this section, the department of labor and economic growth 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 of labor and economic growth 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) The board shall provide for an examination to be given to an applicant seeking licensure under this act for a specific class of license. The board and department of labor and economic growth, 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, which the department of labor and economic growth and the board, acting jointly, review and determine is designed to test the qualifications and competency of applicants seeking licensure under this act.

(13) The examination for electrical journeymen and master electricians 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 any code adopted pursuant to section 4 of that act and any code adopted pursuant

to section 8 of that act as well as the theory relative to those codes. In the case of the examination for an electrical contractor's license, the examination 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 pursuant to section 8 or 9 of that act.

(14) The board shall provide for an examination to be given to an applicant seeking fire alarm specialty licensure under this act. The examinations for fire alarm specialty licensure 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 labor and economic growth, 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 as determined by the board.

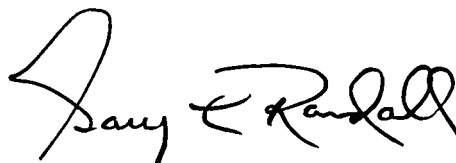
(15) The board shall provide for an examination to be given to an applicant seeking sign specialty licensure under this act. The examinations for sign specialty licensure shall include, but not be limited to, questions designed to test an individual's knowledge of this act and any rules promulgated under this act relating to electric signs and applicable sections of the code.

(16) Examinations shall be offered at locations throughout the state as determined by the board. The department of labor and economic growth 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 and 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.

(17) The department of labor and economic growth 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.

(18) 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.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor