

Act No. 158
Public Acts of 2007
Approved by the Governor
December 20, 2007
Filed with the Secretary of State
December 21, 2007
EFFECTIVE DATE: June 1, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2007**

Introduced by Senators Cassis and Basham

ENROLLED SENATE BILL No. 453

AN ACT to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments," by amending section 39 (MCL 338.2239), as amended by 2007 PA 77.

The People of the State of Michigan enact:

Sec. 39. (1) Fees for a person licensed or seeking licensure as a residential builder or residential maintenance and alteration contractor, salesperson, or branch office under article 24 of the occupational code, MCL 339.2401 to 339.2412, are as follows:

(a) Application processing fee	\$ 15.00
(b) Examination fees:	
(i) Complete builder or maintenance and alteration contractor examination	50.00
(ii) Law and rules portion.....	30.00
(iii) Practice or trades portion.....	30.00
(iv) Salesperson examination.....	30.00
(c) Examination review	20.00
(d) License fee only for the first license cycle of an initial or renewal licensee following the effective date of the amendatory act that added subsection (2), per year	60.00
(e) License fee, per year.....	50.00

(2) The builder enforcement fund is created in the state treasury and shall be administered by the department. The department shall be the administrator of the fund for audit purposes. A 1-time-only \$30.00 allocation from a license fee received by the department under subsection (1)(d) during a single 3-year license cycle shall be deposited into the builder enforcement fund. The department shall make the \$30.00 allocation only once per licensee. In the case of the \$50.00 license fee paid under subsection (1)(e), \$5.00 of that \$50.00 fee shall be allocated to the builder enforcement fund. If on December 1 of any year following the calendar year 2010, the department determines that the balance in the builder enforcement fund is more than \$3,000,000.00, the \$5.00 allocation to the builder enforcement fund from the \$50.00 renewal fee due after January 1 of the following year shall not be made. If on any subsequent December 1 the department determines that the balance in the fund is less than \$750,000.00, the \$5.00 allocation shall resume for any

renewal fee due after January 1 of the following year. Notwithstanding section 3, the department shall utilize the builder enforcement fund only for the enforcement of article 24 of the occupational code, MCL 339.2401 to 339.2412, regarding unlicensed activity as further described in section 601(1) and (2) of the occupational code, MCL 339.601, and to reimburse the attorney general for the reasonable cost of services provided to the department and for expenses incurred in prosecutions for such unlicensed practice or prosecuting attorney for expenses incurred in conducting prosecutions of such unlicensed practice. Any unexpended balance in the builder enforcement fund at the end of a fiscal year shall carry forward to the next fiscal year.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) Senate Bill No. 450.
- (b) Senate Bill No. 451.
- (c) Senate Bill No. 452.

Enacting section 2. This amendatory act takes effect June 1, 2008.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor