

# HOUSE BILL NO. 5055

June 17, 2021, Introduced by Reps. Posthumus, Outman and Griffin and referred to the Committee on Regulatory Reform.

A bill to amend 2016 PA 407, entitled "Skilled trades regulation act," by amending section 223 (MCL 339.5223), as added by 2021 PA 24, and by adding section 224.

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

1           Sec. 223. (1) The department shall issue a license ~~or a~~  
2 ~~certificate of registration~~ for an occupation under this act  
3 without examination to an individual who demonstrates to the  
4 satisfaction of the department that he or she meets all of the

1 following at the time of application:

2 (a) Provides proof that the individual is 1 of the following:

3 (i) A member of the armed forces or uniformed services.

4 (ii) A veteran.

5 (iii) A dependent of a member of the armed forces, a member of  
6 the uniformed services, or a veteran.

7 (b) Holds a valid license ~~or registration~~ in that occupation  
8 from an equivalent licensing department, board, or authority, as  
9 determined by the department, in at least 1 other state of the  
10 United States. For each license ~~or registration~~ described in this  
11 subdivision that he or she holds, all of the following must be met:

12 (i) The license ~~or registration~~ is in good standing. ~~and he or~~  
13 ~~she has held that license or registration for at least 1 year.~~

14 (ii) There were minimum education requirements and, if  
15 applicable, work experience requirements in effect for licensure ~~or~~  
16 ~~registration~~ in the other state, and the other state verifies that  
17 he or she met those requirements for licensure ~~or registration~~ in  
18 that state.

19 (iii) If the other state required an examination for licensure,  
20 ~~or registration~~, he or she passed the examination.

21 ~~(iv) The requirements for licensure or registration in the~~  
22 ~~other state are substantially equivalent to or exceed the~~  
23 ~~requirements of this act and any rule promulgated under this act~~  
24 ~~for the license or registration.~~

25 (c) Has not had a license ~~or registration~~ revoked, and has not  
26 voluntarily surrendered a license, ~~or registration~~, in any other  
27 state of the United States or a foreign country while under  
28 investigation for unprofessional conduct.

29 (d) Has not had discipline imposed by any equivalent licensing

1 department, board, or authority in another state of the United  
2 States. If another state of the United States has taken  
3 disciplinary action against the applicant, the department shall  
4 determine if the cause for the action was corrected and the matter  
5 resolved. If the matter has not been resolved by that other state,  
6 the department shall not issue or deny a license ~~or registration~~  
7 until the matter is resolved.

8 (e) Does not have a complaint, allegation, or investigation  
9 pending before an equivalent licensing department, board, or  
10 authority in another state of the United States or a foreign  
11 country that relates to unprofessional conduct. If the applicant  
12 has any complaints, allegations, or investigations pending, the  
13 department shall suspend the application process and shall not  
14 issue or deny a license ~~or registration~~ to the applicant until the  
15 complaint, allegation, or investigation is resolved.

16 (f) Pays all applicable fees.

17 (g) Is of good moral character.

18 (h) Meets the age requirement of that occupation under this  
19 act, if applicable.

20 (2) This section does not prevent the department from issuing  
21 a temporary license under section 219 or issuing a license under  
22 section 731(5), 907(3), or 1019(1).

23 **Sec. 224. (1) The department shall issue a license for an**  
24 **occupation under this act to an individual who does not meet the**  
25 **requirements under section 223(1) (a) and who demonstrates to the**  
26 **satisfaction of the department that he or she meets all of the**  
27 **following at the time of application:**

28 (a) Is a current resident of this state.

29 (b) Holds a valid license in that occupation from an

1 equivalent licensing department, board, or authority, as determined  
2 by the department, in at least 1 other state of the United States.

3 (c) All of the following are met for each license described in  
4 subdivision (b) that he or she holds:

5 (i) The license is in good standing and he or she has held that  
6 license for at least 6 months.

7 (ii) There were minimum education requirements and, if  
8 applicable, work experience in effect for licensure in the other  
9 state, and the other state verifies that he or she met those  
10 requirements for licensure in that state.

11 (iii) If the other state required an examination for licensure,  
12 he or she passed the examination.

13 (d) Has not had a license revoked, and has not voluntarily  
14 surrendered a license, in any other state of the United States or a  
15 foreign country while under investigation for unprofessional  
16 conduct.

17 (e) Has not had discipline imposed by an equivalent licensing  
18 department, board, or authority in another state of the United  
19 States. If another state of the United States has taken  
20 disciplinary action against the applicant, the department shall  
21 determine if the cause for the action was corrected and the matter  
22 resolved. If the matter has not been resolved by that other state,  
23 the department shall not issue or deny a license until the matter  
24 is resolved.

25 (f) Does not have a complaint, allegation, or investigation  
26 pending before an equivalent licensing department, board, or  
27 authority in another state of the United States or a foreign  
28 country that relates to unprofessional conduct. If the applicant  
29 has any complaints, allegations, or investigations pending, the

1 department shall suspend the application process and shall not  
2 issue or deny a license to the applicant until the complaint,  
3 allegation, or investigation is resolved.

4 (g) Subject to subsection (4), pays all applicable fees.

5 (h) Is of good moral character.

6 (2) This section does not prevent the department from issuing  
7 temporary licenses under section 219 or issuing licenses under  
8 section 731(5), 907(3), or 1019(1).

9 (3) This section does not apply to a license issued under an  
10 interstate licensing compact applicable to an occupation under this  
11 act; does not apply to any licensing criteria established under an  
12 interstate licensing compact applicable to an occupation under this  
13 act; and does not make an individual who is licensed under this  
14 section eligible to be part of an interstate licensing compact  
15 applicable to an occupation under this act.

16 (4) The department shall not charge an individual seeking a  
17 license under this section a fee in an amount that exceeds the  
18 amount charged by the department to an individual seeking the same  
19 license under this act.