

HOUSE BILL No. 4607

May 1, 2003, Introduced by Reps. Koetje, Sheen, Caswell, Hoogendyk and Steil and referred to the Committee on Judiciary.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
(MCL 339.101 to 339.2721) by adding section 2413.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2413. (1) A person shall not bring a civil action
2 against a person licensed under this article if a complaint under
3 section 2411 or article 5 has been filed against the licensee by
4 the person bringing the civil action and both of the following
5 apply:

6 (a) The complaint is based on the same transaction or
7 occurrence that is the subject of the action.

8 (b) One of the following applies:

9 (i) The complaint is pending.

10 (ii) The complaint was adjudicated or otherwise resolved as
11 to the licensee, other than by voluntary withdrawal of the

1 complaint before an answer or response was filed.

2 (2) A person shall not file a complaint under section 2411 or
3 article 5 against a person licensed under this article if a civil
4 action against the licensee has been filed by the person making
5 the complaint and both of the following apply:

6 (a) The action is based on the same transaction or occurrence
7 that is the subject of the complaint.

8 (b) One of the following applies:

9 (i) The action is pending.

10 (ii) The action was adjudicated or otherwise resolved as to
11 the licensee, other than by voluntary dismissal before an answer
12 or response was filed.