HOUSE BILL No. 5955

May 9, 2018, Introduced by Rep. Lower and referred to the Committee on Local Government.

A bill to limit the authority of political subdivisions to impose licensing regulation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "local
2 government occupational licensing act".

3 Sec. 3. As used in this act:

4 (a) "Licensing" means any training, education, or fee required
5 for an individual to perform work in a specific occupation in a
6 political subdivision, in this state, or in any other governmental
7 unit in this state.

8 (b) "Licensing authority" means an agency, examining board,
9 credentialing board, or other office of a political subdivision or
10 other governmental unit that has the authority to impose fees or
11 other licensing requirements on an individual as a condition to

1 performing work in a specific occupation in that governmental unit.

2   (c) "Political subdivision" means a city, township, village,

3 or county of this state.

4   Sec. 5. (1) Beginning on the effective date of this act, a

5 political subdivision shall not impose any licensing requirements

6 on any individuals who perform a specific occupation if the

7 political subdivision does not already impose licensing

8 requirements on that occupation. However, a political subdivision

9 may continue to regulate any occupation that is subject to

10 licensing requirements in that political subdivision on or before

11 that date.

12   (2) If an occupation is subject to licensing requirements

13 imposed by the department of licensing and regulatory affairs or

14 any other licensing authority of this state, a political

15 subdivision of this state shall not impose any regulations on that

16 occupation that add additional licensing requirements to those

17 already imposed by the licensing authority of this state.

18   (3) Beginning on the effective date of this act, if the

19 department of licensing and regulatory affairs or any other

20 licensing authority of this state imposes any new licensing

21 requirements on any occupation that was previously unregulated by

22 the state, and if the political subdivision has licensing

23 requirements that regulate that occupation in effect at the time

24 the new state licensing requirements take effect, the political

25 subdivision may not continue to enforce its licensing requirements

26 for that occupation on or after the date when the state licensing

27 requirements take effect.

1   Sec. 11. This act does not apply to any licensing requirements

2 that are subject to any of the following laws of this state:

3   (a) Sections 733 and 735 of the skilled trades regulation act,

4 2016 PA 407, MCL 339.5733 and 339.5735.

5   (b) Section 2 of 1976 PA 333, MCL 338.2152.

6   (c) Section 6 of the security alarm systems act, 2012 PA 580,

7 MCL 338.2186.

8   Enacting section 1. This act takes effect 90 days after the

9 date it is enacted into law.

10   Enacting section 2. This act does not take effect unless all

11 of the following bills of the 99th Legislature are enacted into

12 law:

13   (a) Senate Bill No.____ or House Bill No. 5960 (request no.

14 04503'17).

15   (b) Senate Bill No.____ or House Bill No. 5961 (request no.

16 04504'17).

17   (c) Senate Bill No.____ or House Bill No. 5959 (request no.

18 04505'17).

19   (d) Senate Bill No.____ or House Bill No. 5958 (request no.

20 04506'17).

21   (e) Senate Bill No.____ or House Bill No. 5956 (request no.

22 04507'17).

23   (f) Senate Bill No.____ or House Bill No. 5957 (request no.

24 04517'17).

25   (g) Senate Bill No.____ or House Bill No. 5963 (request no.

26 04518'17).

27   (h) Senate Bill No.____ or House Bill No. 5964 (request no.

1 04519'17).

2   (i) Senate Bill No.____ or House Bill No. 5962 (request no.

3 04520'17).

4   (j) Senate Bill No.____ or House Bill No. 5965 (request no.

5 04521'17).