

# HOUSE BILL No. 4592

April 18, 2013, Introduced by Reps. Jacobsen, Nesbitt, Stallworth, Ananich, MacMaster, LaFontaine, Pscholka, Kandrevas, Pettalia, Rendon, Price, McCready, Shirkey, Genetski, Franz, Kowall, Outman, LaVoy, Hobbs, Kesto, Switalski, Bumstead and Foster and referred to the Committee on Energy and Technology.

A bill to amend 1984 PA 192, entitled  
"Forbes mechanical contractors act,"  
by amending sections 7 and 9 (MCL 338.977 and 338.979), section 7  
as amended by 1998 PA 300.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 7. (1) Except as provided in subsection (3) **OR (4)** and  
2       section 14, an individual, partnership, association, corporation,  
3       **LIMITED LIABILITY COMPANY**, governmental subdivision, college, or  
4       university shall not perform installations, alterations, or  
5       servicing of work classifications under section 6(3) ~~, which~~ **THAT**  
6       are regulated by the state construction code act of 1972, 1972 PA  
7       230, MCL 125.1501 to 125.1531, unless the individual, or an

1 employee of the individual, partnership, association, corporation,  
2 **LIMITED LIABILITY COMPANY**, governmental subdivision, college, or  
3 university has received a contractor's license from the department  
4 ~~which~~ **THAT** has not been revoked or suspended, ~~and~~ the license is  
5 either classified and limited as provided in section 6 or is  
6 annotated as provided in section 8, and the holder of the license  
7 has secured the appropriate permit from the enforcing agency  
8 charged with the responsibility of issuing permits.

9 (2) An individual, partnership, association, corporation,  
10 **LIMITED LIABILITY COMPANY**, governmental subdivision, college, or  
11 university ~~which~~ **THAT** performs installations, alterations, or  
12 servicing of work classifications under section 6(3) shall  
13 designate the holder of a contractor's license as described in  
14 subsection (1) as the contractor of record. The department shall be  
15 notified in writing of the designation.

16 (3) If the installation, alteration, or service of a work  
17 classification under section 6(3) is performed without compensation  
18 by a person licensed under this act for or on behalf of a  
19 charitable organization, the permit required under subsection (1)  
20 may be obtained by the owner of the property on which the work is  
21 performed. This subsection applies only to the reconstruction,  
22 renovation, or remodeling of 1- to 4-family dwellings.

23 (4) **A PERSON THAT IS REGISTERED AS A SYSTEM PROVIDER UNDER THE**  
24 **SECURITY ALARM SYSTEMS ACT, 2012 PA 580, MCL 338.2181 TO 338.2187,**  
25 **OR LICENSED AS A SECURITY ALARM SYSTEM CONTRACTOR UNDER THE PRIVATE**  
26 **SECURITY BUSINESS AND SECURITY ALARM ACT, 1968 PA 330, MCL 338.1051**  
27 **TO 338.1092, IS NOT REQUIRED TO OBTAIN A LICENSE FROM THE**

1 DEPARTMENT UNDER THIS ACT OR OBTAIN A LICENSE OR PERMIT FROM A  
2 GOVERNMENTAL SUBDIVISION OR ENFORCING AGENCY TO PERFORM WORK  
3 DESCRIBED IN SUBSECTION (1) IN CONNECTION WITH THE INSTALLATION,  
4 MAINTENANCE, REPLACEMENT, OR SERVICING OF A THERMOSTAT FOR A  
5 HEATING, VENTILATING, AND AIR CONDITIONING SYSTEM OR A HYDRONIC  
6 HEATING AND COOLING SYSTEM.

7 (5) ~~(4)~~—This act does not require a contractor of record in a  
8 facility that regularly employs a qualified maintenance crew to  
9 perform within the facility mechanical contracting work regulated  
10 ~~by~~ **UNDER** this act.

11 (6) ~~(5)~~—As used in this section, "charitable organization"  
12 means a not for profit tax-exempt religious, educational, or humane  
13 organization.

14 Sec. 9. After ~~the effective date of this act,~~ **OCTOBER 1, 1984,**  
15 a governmental subdivision shall not establish or maintain local  
16 licensing requirements for the work classifications set forth in  
17 section 6(3) **OR WORK DESCRIBED IN SECTION 7(4).** A governmental  
18 subdivision shall not prohibit a contractor licensed under this act  
19 from engaging in the work classification or classifications for  
20 which the contractor has a license **UNDER THIS ACT, OR A PERSON**  
21 **DESCRIBED IN SECTION 7(4) FROM ENGAGING IN WORK FOR WHICH THAT**  
22 **PERSON IS LICENSED OR REGISTERED,** unless the contractor is in  
23 violation of the mechanical code.