

HOUSE BILL No. 4245

February 25, 2015, Introduced by Reps. Forlini, Chirkun and Lucido and referred to the Committee on Regulatory Reform.

A bill to amend 1986 PA 54, entitled
"Building officials and inspectors registration act,"
by amending sections 7, 9, and 12 (MCL 338.2307, 338.2309, and
338.2312), section 9 as amended by 2013 PA 150.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. A registered building official, plan reviewer, or
2 inspector shall renew ~~the~~**HIS OR HER** registration at periods of not
3 less than 3 years after the date of initial issue. The renewal
4 shall coincide with the code change cycle of ~~the~~**A** code ~~which~~**THAT**
5 the person is enforcing. ~~in that jurisdiction. Reregistration or~~
6 renewal of an initial registration or provisional registration
7 shall be based ~~upon~~**ON** a determination by the appropriate board
8 listed in section 4(2) of **ALL OF** the **FOLLOWING:**

9 **(A) THE** applicant's familiarity with **ANY** changes to the

1 applicable codes administered and enforced within the jurisdiction
 2 of ~~the~~**ANY** enforcing agency ~~employing~~**THAT EMPLOYS** the applicant.
 3 ~~and~~

4 (B) **THE APPLICANT'S FAMILIARITY WITH OTHER** pertinent laws. ~~7~~
 5 ~~and~~

6 (C) **EVIDENCE** satisfactory ~~evidence of attending~~**TO THE**
 7 **APPROPRIATE BOARD THAT THE APPLICANT HAS ATTENDED** local in-service
 8 training and education programs on an ongoing basis.

9 Sec. 9. Upon written notice of hearing, the commission may
 10 revoke or suspend the registration of any building official, plan
 11 reviewer, inspector, fire protection system inspector, or fire
 12 protection system plan reviewer if there is sufficient evidence
 13 showing that the registered ~~person~~**INDIVIDUAL** has violated this act
 14 or rules promulgated ~~pursuant to~~**UNDER** this act, in the performance
 15 of his or her duties. In any proceeding under this act, ~~the~~**AN**
 16 enforcing agency ~~which~~**THAT** employs the ~~person~~**INDIVIDUAL** may
 17 appear as a party in interest. ~~All hearings~~**THE HEARING** shall be
 18 conducted pursuant to the administrative procedures act of 1969,
 19 1969 PA 306, MCL 24.201 to 24.328.

20 Sec. 12. (1) Subject to subsection (2), ~~after 1 year after the~~
 21 ~~effective date of this act, a person~~**AN INDIVIDUAL** shall not be
 22 appointed or employed as a building official, inspector, or plan
 23 reviewer by an enforcing agency, unless the ~~person~~**INDIVIDUAL** is
 24 registered under this act and the rules promulgated under this act.

25 (2) ~~Any person~~**AN INDIVIDUAL** who ~~, after the effective date of~~
 26 ~~this act,~~ becomes employed by a governmental subdivision as a
 27 building official, plan reviewer, or inspector, **IF NOT ALREADY**

1 **REGISTERED**, shall within 30 days of employment ~~make application~~
2 **APPLY** to the commission for provisional registration. Upon
3 ~~furnishing the board with satisfactory evidence of being so~~
4 ~~employed by a governmental subdivision and payment of the fees~~
5 prescribed in section 13, the ~~person~~ **INDIVIDUAL** shall be
6 provisionally registered.

7 (3) If the commission determines that an applicant for
8 registration does not qualify for registration, the **COMMISSION**
9 **SHALL NOTIFY THE** applicant ~~shall be notified of that fact in~~
10 ~~writing. and THE APPLICANT~~ may appeal an adverse decision ~~in the~~
11 ~~manner provided by Act No. 306 of the Public Acts of 1969, being~~
12 ~~sections~~ **PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969,**
13 **1969 PA 306, MCL 24.201 to 24.328. of the Michigan Compiled Laws.**

14 (4) **NOTWITHSTANDING ANY PROVISION OF THIS ACT, EMPLOYMENT BY**
15 **AN ENFORCING AGENCY IS NOT A REQUIREMENT FOR REGISTRATION OR**
16 **PROVISIONAL REGISTRATION AS A BUILDING OFFICIAL, PLAN REVIEWER, OR**
17 **INSPECTOR UNDER THIS ACT.**

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.