

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4245

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 registration at periods of not less than~~
3 ~~3 years after the date of initial issue. The renewal shall coincide~~
4 ~~with the code change cycle of the code which the person is~~
5 ~~enforcing in that jurisdiction.~~ **HIS OR HER REGISTRATION BY**
6 **SEPTEMBER 17 OF EVERY THIRD YEAR, BEGINNING IN 2015.** Reregistration
7 or renewal of an initial registration or provisional registration
8 shall be based ~~upon~~ **ON** a determination by the appropriate board
9 listed in section 4(2) of **ALL OF the FOLLOWING:**

1 (A) ~~THE~~ applicant's familiarity with **ANY** changes to the
 2 ~~applicable codes administered and enforced within the jurisdiction~~
 3 ~~of the enforcing agency employing the applicant and~~ **CODES THAT THE**
 4 **APPLICANT SEEKS TO BE REGISTERED TO ENFORCE.**

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

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

10 Sec. 9. Upon written notice of hearing, the commission may
 11 revoke or suspend the registration of any building official, plan
 12 reviewer, inspector, fire protection system inspector, or fire
 13 protection system plan reviewer if there is sufficient evidence
 14 showing that the registered ~~person~~ **INDIVIDUAL** has violated this act
 15 or rules promulgated ~~pursuant to~~ **UNDER** this act, in the performance
 16 of his or her duties. In any proceeding under this act, ~~the~~ **AN**
 17 enforcing agency ~~which~~ **THAT** employs the ~~person~~ **INDIVIDUAL** may
 18 appear as a party in interest. ~~All hearings~~ **THE HEARING** shall be
 19 conducted pursuant to the administrative procedures act of 1969,
 20 1969 PA 306, MCL 24.201 to 24.328.

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

26 (2) ~~Any person~~ **AN INDIVIDUAL** who ~~7, after the effective date of~~
 27 ~~this act,~~ becomes employed by a governmental subdivision as a

1 building official, plan reviewer, or inspector, **IF NOT ALREADY**
2 **REGISTERED**, shall within 30 days of employment ~~make application~~
3 **APPLY** to the commission for provisional registration. Upon
4 ~~furnishing the board with satisfactory evidence of being so~~
5 ~~employed by a governmental subdivision and payment of the fees~~
6 prescribed in section 13, the ~~person~~ **INDIVIDUAL** shall be
7 provisionally registered.

8 (3) If the commission determines that an applicant for
9 registration does not qualify for registration, the **COMMISSION**
10 **SHALL NOTIFY THE** applicant ~~shall be notified of that fact in~~
11 ~~writing. and~~ **THE APPLICANT** may appeal an adverse decision ~~in the~~
12 ~~manner provided by Act No. 306 of the Public Acts of 1969, being~~
13 ~~sections~~ **PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969,**
14 **1969 PA 306, MCL 24.201 to 24.328.** ~~of the Michigan Compiled Laws.~~

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

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