LOCAL GOVERNMENT OCCUPATIONAL LICENSING ACT
Act 493 of 2018

AN ACT to limit the authority of political subdivisions to impose licensing regulation.

History: 2018, Act 493, Imd. Eff. Dec. 27, 2018.

Compiler's note: Enacting section 1 of Act 493 of 2018 provides:
"Enacting section 1. This act is retroactive and takes effect January 1, 2018."

The People of the State of Michigan enact:

123.1421 Short title.

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

History: 2018, Act 493, Imd. Eff. Dec. 27, 2018.

Compiler's note: Enacting section 1 of Act 493 of 2018 provides:
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123.1423 Definitions.

Sec. 3. As used in this act:

(a) "Licensing" means any training, education, or fee required for an individual to perform work in a specific occupation in a political subdivision, in this state, or in any other governmental unit in this state. The term includes registration.

(b) "Licensing authority" means an agency, examining board, credentialing board, or other office of a political subdivision or other governmental unit that has the authority to impose fees or other licensing requirements on an individual as a condition to performing work in a specific occupation in that governmental unit.

(c) "Political subdivision" means a city, township, village, or county of this state.

(d) "Registration" means an authorization to use a designated title while performing work in a specific occupation in a political subdivision, in this state, or in any other governmental unit in this state.

History: 2018, Act 493, Imd. Eff. Dec. 27, 2018.

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123.1425 Prohibited licensing requirements by local government; limitation on enforcement.

Sec. 5. (1) Beginning January 1, 2018, a political subdivision shall not impose any licensing requirements on any individuals who perform a specific occupation if the political subdivision does not already impose licensing requirements on that occupation. However, a political subdivision may continue to regulate any occupation that is subject to licensing requirements in that political subdivision before January 1, 2018.

(2) If an occupation is subject to licensing requirements imposed by the department of licensing and regulatory affairs or any other licensing authority of this state, a political subdivision of this state shall not impose any regulations on that occupation that add additional licensing requirements to those already imposed by the licensing authority of this state.

(3) Beginning January 1, 2018, if the department of licensing and regulatory affairs or any other licensing authority of this state imposes any new licensing requirements on any occupation that was previously unregulated by the state, and if the political subdivision has licensing requirements that regulate that occupation in effect at the time the new state licensing requirements take effect, the political subdivision may not continue to enforce its licensing requirements for that occupation on or after the date when the state licensing requirements take effect.

History: 2018, Act 493, Imd. Eff. Dec. 27, 2018.

Compiler's note: Enacting section 1 of Act 493 of 2018 provides:
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123.1431 Applicability of act.

Sec. 11. This act does not apply to any licensing requirements that are subject to any of the following laws of this state:

(a) Sections 733 and 735 of the skilled trades regulation act, 2016 PA 407, MCL 339.5733 and 339.5735.

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

(c) Section 6 of the security alarm systems act, 2012 PA 580, MCL 338.2186.

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