

State Budget Office
Office of Regulatory Reinvention
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Agency contact person name, e-mail, and phone:	Dena Marks Marksd1@michigan.gov 517-335-3679

2. Rule Set Information

Title of proposed rule set:	Occupational Code Renewals
Rule number(s) or range of numbers:	R 339.1001-339.1005
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes.

3. Estimated timetable for completion, or statutory deadline, if applicable:

1 year.

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

<p>The Occupational Code Renewals rules establish the specific dates that a license or registration renewal period begins or ends for licenses regulated by the Occupational Code.</p> <p>R 339.1001a This is a new rule that will be added to define terms used in this rule set.</p> <p>R 339.1002 This rule sets forth expiration dates and renewal information for certain annual licenses, including private employment, real estate, cosmetology establishments and schools, mortuary science trainees, and barber apprentices and barber student instructors. The bureau no longer licenses mortuary science trainees or barber apprentices. The revisions will remove those licenses from the rule. The revision will also change the name of the license previously identified as "private employment" to "personnel agencies" to reflect the name currently used for this license. Real estate licenses will be relocated to a new rule, R 339.1003a, because this license now renews triennially. Cosmetology establishments and schools will be relocated to R 339.1003 because this license now renews biennially. The information on renewal of licenses for barber student instructors will be included in the listing with the other annual licenses and subrule (2) will be removed.</p> <p>R 339.1003 The rule sets forth expiration dates and renewal information for certain biennial licenses and registrations, including mortuary science, foresters, residential builders, barbers and cosmetology. The Bureau of Professional Licensing no longer issues licenses or registrations for mortuary science, foresters, or residential builders. The revisions will remove those professions from the rule. The revision will also modify the date of renewal for barbers and cosmetologists to</p>
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2 years from the date the license was issued instead of September 30 for barbers and August 31 for cosmetologists. The list of biennial licenses will be reorganized into alphabetical order.

R 339.1003a This is a new rule providing for the expiration date and renewal information for real estate brokers and salespersons. These licenses are currently the only licenses on a triennial renewal cycle.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

MCL 339.205, MCL 338.3501, MCL 445.2011, MCL 445.2025, and MCL 445.2030.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

The rules do not conflict with or duplicate similar rules or regulations adopted by the state or federal government.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No.

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

The rules will be promulgated using the full rulemaking process.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

The proposed rules do not incorporate any recommendation of any Advisory Rules Committee.

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

No.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received: 1-24-2019

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2018-108 LR
Date of approval:	1/31/19

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	