

Date: January 2023

Analyst: Josh Roesner

Summary

The Michigan Occupational Code establishes requirements for certain occupations, including what actions those occupations may undertake once licensed or certified, as well as establishing the state boards with oversight of a specific occupation. The Michigan Department of Licensing and Regulatory Affairs (LARA) is the state department responsible for the administration of the code.

Organization

There are 18 articles currently in the code, and 10 articles that have been repealed. Repeal of an article does not necessarily mean that individuals can engage in the activities formerly defined as the practice of a certain occupation without state oversight, only that the occupation is no longer regulated at the state level by this act. Occupations have been deregulated under the code for several reasons, including the small number of individuals licensed or registered under the code, superseding regulation at the federal level, to allow regulation at the local level, or to place the regulations in another state law (such as the Public Health Code or the Natural Resources and Environmental Protection Act).

Many articles are dedicated to a specific profession or occupation and contain requirements for what constitutes the scope of practice for that occupation, how to become certified or registered through the state, renewal of that state credentials, and other relevant provisions, as described below:

[Article 1](#): Definitions applicable to the entire code.

[Article 2](#): The powers and duties of LARA in connection with the code.

[Article 3](#): The composition and powers of boards that oversee specific professions and occupations.

[Article 4](#): Provisions relating to fees that can be charged in connection with licensure or registration required under the code.

[Article 5](#): Complaints, investigations, and sanctions against a person licensed or registered under the code.

[Article 6](#): Prohibition against engaging in an occupation regulated by the code or using regulated titles and penalty provisions for code violations.

[Article 7](#): Accountants and accountancy.

Article 8: Repealed, formerly regulated boxing matches and contests.

[Article 9](#): Collection agencies.

[Article 10](#): Personnel agencies and consulting agents.

[Article 11](#): Barbers and barbershops.

[Article 12](#): Cosmetology.

[Article 13](#): Hearing aid dealers and salespersons.

Article 14: Repealed, formerly regulated the practice of horology (making and repairing watches).

Article 15: Repealed, formerly regulated the practice of marriage and family therapy.

Article 16: Repealed, formerly regulated social workers.

Article 17: Repealed, formerly regulated myomassologists (individuals engaging in a form of massage therapy).

[Article 18](#): Mortuary science and morticians.

Article 19: Repealed, formerly regulated nursing home administrators.

[Article 20](#): Architects, engineers, and professional surveyors.

Article 21: Repealed, formerly regulated foresters.

[Article 22](#): Landscape architects.

Article 23: Repealed, formerly regulated community planners.

[Article 24](#): Residential builders and residential maintenance and alteration contractors.

[Article 25](#): Real estate brokers and salespersons.

[Article 26](#): Real estate appraisers.

[Article 26A](#): Real estate appraisal management companies.

Article 27: Repealed, formerly regulated ocularists (those making prosthetic eyes).

Article 29: Repealed, formerly regulated auctioneers.

Recent Activity

The following acts amending the code were enacted in the 2021-22 legislative session:

2021 PA 26 ([SB 312](#)) requires LARA to issue a license or a certificate of registration for an occupation regulated by the code, without examination, to individuals who meet certain requirements.

2021 PA 101 ([HB 4207](#)) allows an individual to become a barber by completing a barber apprenticeship program, in lieu of barber college, if certain conditions are met.

2022 PA 21 ([HB 4693](#)) increased the maximum amount a landlord can give a tenant for referral of a prospective tenant without becoming a real estate transaction or payment of real estate commission.

Additional Information

- The [administrative rules](#) for LARA's Bureau of Professional Licensing include additional regulations that apply to occupations described above. However, most of the occupations addressed in these rules are regulated under other acts, such as the Public Health Code.
- The [administrative rules](#) for LARA's Bureau of Construction Codes include additional regulations that apply to occupations described above. However, most of the occupations addressed in these rules are regulated under other acts, such as the Skilled Trades Regulation Act.
- House Fiscal Agency, [Fiscal Brief: LARA Fee Sunsets 2023](#) (a list of fees, including occupational licensing fees, that are assessed under the statutes and programs LARA administers and that will expire in 2023).