

HOUSE BILL No. 5830

April 9, 2002, Introduced by Reprs. Dennis, Clark, Basham, Schauer, Kolb, Jacobs, Thomas, Frank, Reeves, Garza, Woodward, Gielegem, Richardville, Patterson, Woronchak, Schermesser, Mans and Allen and referred to the Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled
"Food law of 2000,"
by amending section 3119 (MCL 289.3119).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3119. (1) Except as otherwise provided for in subsec-
2 tion (2), upon submission of an application, an applicant for a
3 food service establishment license shall pay to the local health
4 department having jurisdiction the required sanitation service
5 fees authorized by section 2444 of the public health code, MCL
6 333.2444, and an additional state license fee as follows:

- 7 (a) Vending machine location fee..... \$2.50.
- 8 (b) Temporary food service establishment..... \$2.50.
- 9 (c) Food service establishment..... \$19.00.
- 10 (d) Mobile food service establishment..... \$2.50.

1 (e) Mobile food establishment commissary..... \$19.00.

2 (f) Special transitory food unit..... \$30.00.

3 (2) When licensing a special transitory food unit, a local
4 health department shall impose a fee of \$117.00.

5 (3) The state license fee required under subsection (1)
6 shall be collected by the local health department at the time the
7 license application is submitted. The state license fee is due
8 and payable by the local health department to the state within 60
9 days after the fee is collected.

10 (4) A school or other educational institution is exempt from
11 paying the fees in section 2444 of the public health code, MCL
12 333.2444, and this section but is not exempt from the other pro-
13 visions of this chapter. A charitable, religious, fraternal,
14 service, civic, or other nonprofit organization that has
15 tax-exempt status under section 501(c)(3) of the internal revenue
16 code of 1986 is exempt from paying fees under this section except
17 for the vending machine location license fee. An organization
18 seeking an exemption under this subsection shall furnish to the
19 department or a local health department evidence of its
20 tax-exempt status.

21 (5) A VETERAN APPLYING FOR A WAIVER OF A LICENSE FEE UNDER
22 THE CIRCUMSTANCES DESCRIBED IN 1921 PA 359, MCL 35.441 TO 35.443,
23 IS EXEMPT FROM PAYING THE FEES PRESCRIBED IN THIS SECTION.

24 (6) ~~-(5)-~~ The department shall adjust on an annual basis the
25 fees prescribed by subsection (1) by an amount determined by the
26 state treasurer to reflect the cumulative annual percentage
27 change in the Detroit consumer price index but not to exceed 5%.

1 As used in this subsection, "Detroit consumer price index" means
2 the most comprehensive index of consumer prices available for the
3 Detroit area from the bureau of labor statistics of the United
4 States department of labor or its successor. The adjustment
5 shall be rounded to the nearest dollar to set each year's fee
6 under this subsection, but the absolute value shall be carried
7 over and used to calculate the next annual adjustment.

8 (7) ~~(6)~~ The local health department shall forward the
9 license applications to the department with appropriate
10 recommendations.