

Legislative Analysis



EXEMPT CERTAIN BLIND OR VISUALLY IMPAIRED CONCESSIONS FROM FOOD LAW LICENSURE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4493 as introduced
Sponsor: Rep. Jamie Thompson
Committee: Regulatory Reform
Complete to 6-4-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4493 would amend the Food Law to exempt from its licensure requirements an individual who operates a location under the requirements of 1978 PA 260, which contains laws and requirements regarding accommodations for blind and visually impaired persons. Among the requirements of that act is that, with some exceptions, a concession in a state-owned building or on state-owned property must be owned or operated, or both, by a blind or visually impaired person.¹

MCL 289.4105

BACKGROUND:

The bill is identical to Senate Bill 986 of the 2023-24 legislative session as passed by the Senate.²

FISCAL IMPACT:

As provided in section 2101 of the Food Law, the Michigan Department of Agriculture and Rural Development (MDARD) has authority for administration and enforcement of that act. Chapter IV of the Food Law establishes licensing requirements for food establishments and, in section 4105, provides for the exemption from the licensing requirements for certain specified persons. As described above, the bill would amend section 4105 to newly exempt from the Food Law's licensure requirements an individual who operates a location under the requirements of 1978 PA 260.

According to the Department of Labor and Economic Opportunity, as of December 2024, there were 40 legally blind individuals licensed to run small businesses that sell concessions on state and federal properties across the state. Some of these concession stands currently fall under the definition of "food service establishment" and are licensed under the Food Law.

In exempting these concession stands from licensure requirements of the Food Law, the bill would also exempt them from related licensing fees of county local public health departments and food service establishment licensing fees established under section 3119 of the Food Law for credit to the state restricted Dairy and Food Safety Fund. However, the bill's impact on

¹ <https://www.legislature.mi.gov/documents/mcl/pdf/MCL-ACT-260-OF-1978.pdf>

² <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2024-SB-0986>

county local health department costs and fee revenue, and state fee revenue, would likely be insignificant.

Legislative Analyst: Alex Stegbauer
Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.