

Food; service establishments; payment of food service establishment license fees; exempt under certain circumstances.

FOOD: Service establishments; VETERANS: Other; LOCAL GOVERNMENT: Other; STATE AGENCIES (EXISTING): Agriculture

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, 1978  
6       PA 368, MCL 333.2444, and an additional state license fee as  
7       follows:

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

|   |   |          |
|---|---|----------|
| 1 | (d) Mobile food service establishment.....    | \$2.50.  |
| 2 | (e) Mobile food establishment commissary..... | \$19.00. |
| 3 | (f) Special transitory food unit.....         | \$30.00. |

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

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

11 (4) A school or other educational institution is exempt from  
12 paying the fees in section 2444 of the public health code, 1978  
13 PA 368, MCL 333.2444, and this section but is not exempt from the  
14 other provisions of this chapter. A charitable, religious, fra-  
15 ternal, service, civic, or other nonprofit organization that has  
16 tax-exempt status under section 501(c)(3) of the internal revenue  
17 code of 1986 is exempt from paying fees under this section except  
18 for the vending machine location license fee. An organization  
19 seeking an exemption under this subsection shall furnish to the  
20 department or a local health department evidence of its  
21 tax-exempt status.

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

25 (6) ~~-(5)-~~ The department shall adjust on an annual basis the  
26 fees prescribed by subsection (1) by an amount determined by the  
27 state treasurer to reflect the cumulative annual percentage

1 change in the Detroit consumer price index but not to exceed 5%.  
2 As used in this subsection, "Detroit consumer price index" means  
3 the most comprehensive index of consumer prices available for the  
4 Detroit area from the bureau of labor statistics of the United  
5 States department of labor or its successor. The adjustment  
6 shall be rounded to the nearest dollar to set each year's fee  
7 under this subsection, but the absolute value shall be carried  
8 over and used to calculate the next annual adjustment.

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