

Act No. 54
Public Acts of 1992
Approved by the Governor
May 20, 1992
Filed with the Secretary of State
May 20, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Johnson, Bender, Gilmer, Hillegonds, Ostling, Richard A. Young and Emerson

ENROLLED HOUSE BILL No. 4907

AN ACT to amend section 12906 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," as amended by Act No. 29 of the Public Acts of 1985, being section 333.12906 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 12906 of Act No. 368 of the Public Acts of 1978, as amended by Act No. 29 of the Public Acts of 1985, being section 333.12906 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 12906. (1) Each applicant for a license at the time an application is submitted shall pay to the local health department having jurisdiction the required sanitation service fees authorized by section 2444 and an additional state license fee as follows:

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|---|----------|
| (a) Vending machine location fee..... | \$ 2.00 |
| (b) Temporary food service establishment..... | \$ 2.00 |
| (c) Food service establishment | \$ 15.00 |
| (d) Transitory food unit..... | \$ 15.00 |

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

(3) A school or other educational institution is exempt from paying the fees in section 2444 and this section but is not exempt from the other provisions of this part. A charitable, religious, fraternal, service, civic, or other nonprofit organization that has tax exempt status under section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. 501, is exempt from paying fees under this section, except for the vending machine location license fee. An organization seeking an exemption under this subsection shall furnish to the department or a local health department evidence of its tax exempt status.

(4) The department shall adjust on an annual basis the fees prescribed by subsection (1) by an amount determined by the state treasurer to reflect the cumulative annual percentage change in the Detroit consumer price index not to exceed 5%. As used in this subsection, "Detroit consumer price index" means the most comprehensive index of consumer prices available for the Detroit area from the bureau of labor statistics of the United States department of labor.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.