

HOUSE BILL No. 5879

May 12, 2004, Introduced by Reps. Bisbee, Richardville, Shackleton, Stahl, Palsrok, Voorhees, Amos, Taub, LaJoy, Meyer, Garfield, Nitz, Milosch, Pumford, Hummel, Koetje, Steil, Hune, Tabor, Shaffer, DeRossett, Ehardt, Gaffney, Newell, Caswell, Walker, Moolenaar, Acciavatti, Kooiman, Hoogendyk, Huizenga, Caul, Nofs and Sheen and referred to the Committee on Commerce.

A bill to amend 2000 PA 92, entitled
"Food law of 2000,"
(MCL 289.1101 to 289.8111) by adding section 4116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4116. (1) Beginning the effective date of the
2 amendatory act that added this subsection and notwithstanding any
3 other provision of this act, the department shall issue an
4 initial or renewal license within the time period prescribed by
5 this act but not later than 6 months after the applicant files a
6 completed application. If the application is considered
7 incomplete by the department, the department shall notify the
8 applicant in writing within 10 days after receipt of the
9 incomplete application, describing the deficiency and requesting
10 the additional information. The 6-month period is tolled upon
11 notification by the department of a deficiency until the date the

1 requested information is received by the department.

2 (2) If the department fails to issue or deny a license within
3 the time required by this section, the department shall return
4 the license fee and shall reduce the license fee for the
5 applicant's next renewal application, if any, by 15%. The
6 department shall not discriminate against an applicant in the
7 processing of the application based upon the fact that the
8 application fee was refunded or discounted under this
9 subsection.

10 (3) Beginning January 31, 2005, the director of the
11 department shall submit a report by January 31 of each year to
12 the standing committees and appropriations subcommittees of the
13 senate and house of representatives concerned with agricultural
14 and food issues. The director shall include all of the following
15 information in the report concerning the preceding calendar
16 year:

17 (a) The number of initial and renewal applications the
18 department received and completed within the 6-month time period
19 described in subsection (1).

20 (b) The number of applications requiring a request for
21 additional information.

22 (c) The average time for an applicant to respond to a request
23 for additional information.

24 (d) The number of applications rejected, categorized by
25 reason for rejection.

26 (e) The amount of money returned to licensees and registrants
27 under subsection (2).

1 (f) The number of applications not issued within the 180-day
2 period.

3 (g) The average processing time for initial and renewal
4 applications granted after the 6-month period.