

# SENATE BILL No. 1218

May 13, 2004, Introduced by Senator ALLEN and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

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

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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.