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House Bill 5992 (Substitute S-1 as reported)
Sponsor: Representative Richard Ball
House Committee: Agriculture
Senate Committee: Agriculture

CONTENT

The bill would amend the Food Law to permit the governing board of a local health department or authority to fix, revoke, or amend fees for services performed by a local health department.

The Law requires an applicant for a food service establishment license to pay to the local health department certain required fees and an additional State license fee for a food service establishment, a vending machine location, a temporary food service establishment, a mobile food establishment commissary, or a special transitory food unit.

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 is exempt from paying the additional State license fee except for the vending machine license fee.

Under the bill, that provision would not restrict the ability of the governing board of a local health department or authority to fix, revoke, or amend fees as further authorized and described under Section 2444 of the Public Health Code.

(That section permits a local governing entity or a district board of health to fix and require the payment of fees for services authorized or required to be performed by the local health department. The local governing entity or district board may revoke, increase, or amend the fees, which may not be more than the reasonable cost of performing the service.)

MCL 289.3119

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill would retain the authority of local health departments or authorities to determine the extent of local fees levied upon nonprofit organizations pursuant to Section 2444 of the Public Health Code. As such, local revenue from food service licensing fees could be expected to vary based upon decisions made by local authorities. State revenue from food service licensing fees would not be affected.

Date Completed: 12-4-08

Fiscal Analyst: Matt Grabowski