

SUBSTITUTE FOR
HOUSE BILL NO. 5951

A bill to amend 2000 PA 92, entitled
"Food law of 2000,"
by amending section 3119 (MCL 289.3119), as amended by 2007 PA
113.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3119. (1) Except as otherwise provided for in
2 subsection (2), upon submission of an application, an applicant
3 for a food service establishment license shall pay to the local
4 health department having jurisdiction the required fees
5 authorized by section 2444 of the public health code, MCL
6 333.2444, and an additional state license fee as follows:

1	(a) Vending machine location fee	\$ 3.00.
2	(b) Temporary food service establishment...	\$ 3.00.
3	(c) Food service establishment.....	\$ 22.00.
4	(d) Mobile food establishment commissary...	\$ 22.00.
5	(e) Special transitory food unit.....	\$ 35.00.

6 (2) When licensing a special transitory food unit, a local
7 health department shall impose a fee of \$135.00, which includes
8 the additional state license fee imposed under subsection (1)
9 unless exempted under subsection (4) or (5). **SCHOOL FOOD SERVICE**
10 **AUTHORITIES RECOGNIZED BY THE MICHIGAN DEPARTMENT OF EDUCATION**
11 **SHALL BE CHARGED LICENSING, INSPECTION, AND CERTIFICATION FEES**
12 **NOT TO EXCEED \$100.00 PER MAIN KITCHEN ANNUALLY AND NOT TO EXCEED**
13 **\$50.00 PER YEAR PER SATELLITE KITCHEN WITHIN THE DISTRICT.**

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

19 (4) A charitable, religious, fraternal, service, civic, or
20 other nonprofit organization that has tax-exempt status under
21 section 501(c)(3) of the internal revenue code of 1986 is exempt
22 from paying additional state license fees imposed under this
23 section except for the vending machine location license fee. An
24 organization seeking an exemption under this subsection shall
25 furnish to the department or a local health department evidence
26 of its tax-exempt status.

27 (5) A veteran who has a waiver of a license fee under the

1 circumstances described in 1921 PA 359, MCL 35.441 to 35.443, is
2 exempt from paying the fees prescribed in this section.

3 (6) The department shall adjust on an annual basis the fees
4 prescribed by subsections (1) and (2) by an amount determined by
5 the state treasurer to reflect the cumulative annual percentage
6 change in the Detroit consumer price index but not to exceed 5%.
7 As used in this subsection, "Detroit consumer price index" means
8 the most comprehensive index of consumer prices available for the
9 Detroit area from the bureau of labor statistics of the United
10 States department of labor or its successor. The adjustment shall
11 be rounded to the nearest dollar to set each year's fee under
12 this subsection, but the absolute value shall be carried over and
13 used to calculate the next annual adjustment.

14 (7) The local health department shall forward the license
15 applications to the department with appropriate recommendations.