

HOUSE BILL No. 4971

June 21, 2007, Introduced by Reps. Bieda, Condino and Warren and referred to the
Committee on Tax Policy.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4116A. (1) AS USED IN THIS SECTION:

2 (A) "SMOKING" MEANS THAT TERM AS DEFINED IN SECTION 12905 OF
3 THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.12905.

4 (B) "SMOKING PERMIT" MEANS A PERMIT ISSUED TO A HOLDER OF A
5 FOOD SERVICE ESTABLISHMENT LICENSE THAT ALLOWS SMOKING ON THE
6 PREMISES.

7 (2) NOTWITHSTANDING ANY STATE LAW OR LOCAL ORDINANCE TO THE
8 CONTRARY, A LICENSEE THAT IS ISSUED A SMOKING PERMIT MAY ALLOW
9 SMOKING AND MAY ADVERTISE THE AVAILABILITY OF SMOKING IN THE FOOD
10 SERVICE ESTABLISHMENT, SUBJECT TO THE PROVISIONS OF SECTION 12905

1 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.12905, REGARDING
2 DESIGNATED SMOKING AREAS.

3 (3) THE DEPARTMENT SHALL ISSUE A SMOKING PERMIT TO THE HOLDER
4 OF A FOOD SERVICE ESTABLISHMENT LICENSE THAT APPLIES TO THE
5 DEPARTMENT AND PAYS THE PERMIT FEE OF \$600.00. THE RENEWAL OF THE
6 PERMIT SHALL BE ACCOMPANIED BY A RENEWAL FEE OF \$500.00.

7 (4) THE MONEY COLLECTED FOR THE INITIAL ISSUANCE AND RENEWAL
8 OF PERMITS UNDER THIS SECTION SHALL BE DEPOSITED INTO THE GENERAL
9 FUND.

10 Enacting section 1. This amendatory act takes effect October
11 1, 2007.

12 Enacting section 2. This amendatory act does not take effect
13 unless Senate Bill No.____ or House Bill No. 4972(request no.
14 03400'07 a) of the 94th Legislature is enacted into law.