

SENATE BILL NO. 229

March 11, 2021, Introduced by Senators VANDERWALL, MCBROOM, BARRETT, VICTORY, HORN, STAMAS, BUMSTEAD, JOHNSON, MACDONALD, RUNESTAD, OUTMAN, THEIS and DALEY and referred to the Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled
"Food law,"
by amending section 4111 (MCL 289.4111), as amended by 2016 PA 188.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4111. (1) ~~The~~**Except as provided in subsection (5), the**
2 department shall impose the following license fees for each year or
3 portion of a year:
4 (a) Retail grocery: \$106.00 for 2016, \$145.00 for 2017, and
5 \$183.00 for any subsequent year.

(b) Extended retail food establishment: \$271.00 for 2016, \$370.00 for 2017, and \$468.00 for any subsequent year.

(c) Food processor: \$271.00 for 2016, \$370.00 for 2017, and \$468.00 for any subsequent year.

(d) Limited food processor: \$106.00 for 2016, \$145.00 for 2017, and \$183.00 for any subsequent year.

(e) Mobile food establishment: \$183.00 for 2016, \$186.00 for 2017, and \$189.00 for any subsequent year.

(f) Temporary food establishment: \$40.00 for 2016, \$55.00 for 2017, and \$70.00 for any subsequent year.

(g) Special transitory food unit: \$150.00 for 2016, \$153.00 for 2017, and \$156.00 for any subsequent year.

(h) Mobile food establishment commissary: \$183.00 for 2016, \$186.00 for 2017, and \$189.00 for any subsequent year.

(i) Food warehouse or vending company base location: \$106.00 for 2016, \$145.00 for 2017, and \$183.00 for any subsequent year. ~~In addition, the~~ **The** operator of the vending company base location shall pay an additional fee based on the number of vending machine locations in this state, as follows:

(i) 1 to 20 locations, \$500.00.

(ii) 21 to 50 locations, \$750.00.

(iii) 51 to 75 locations, \$2,000.00.

(iv) More than 75 locations, \$3,000.00.

If a person operates more than 1 vending company base location in this state, all vending machine locations served by those vending company base locations ~~shall~~ **must** be aggregated on 1 of the vending company base location licenses for the purpose of determining the amount of the additional fee for vending machine locations.

1 (j) Food service establishment: the amounts described in
2 subsection (2).

3 (2) If a local health department no longer conducts a food
4 service program, the department, in consultation with the
5 commission of agriculture and rural development, shall set the food
6 sanitation fees to be imposed for the conduct of the food service
7 program by the department. The fees imposed must equal, as nearly
8 as possible, 1/2 of the department's cost of providing the service.
9 The department may impose the service fees for up to 12 months
10 after the date of cessation by the local health department. After
11 the 12-month period, the department shall collect the fees only as
12 authorized pursuant to an appropriation.

13 (3) Any license fee paid on an initial application is
14 nonrefundable.

15 (4) The department may charge a convenience fee and collect
16 from the applicant any additional costs associated with the method
17 of fee payment for the license ~~or permit~~ fees described in this
18 chapter, not to exceed the costs to the department.

19 **(5) The department shall not charge a license fee described**
20 **under subsection (1) or a late fee described under section 4113 for**
21 **an initial license or renewal license application submitted at any**
22 **time during the licensing year that begins May 1, 2021 and ends at**
23 **midnight on April 30, 2022.**