

Legislative Analysis



FOOD SERVICE ESTABLISHMENT DEFINITION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5911 as introduced
Sponsor: Rep. Tyrone Carter
Committee: Regulatory Reform
Complete to 11-11-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5911 would amend the Food Law to exclude rental halls that do not have a kitchen or food preparation space and that do not prepare food on the premises from the definition of *food service establishment* that applies under the act. The term currently includes all rental halls, and under the bill it would continue to include rental halls that have a kitchen or food preparation area (i.e., space).

MCL 289.1107

FISCAL IMPACT:

Under the Food Law, the Michigan Department of Agriculture and Rural Development (MDARD) has responsibility for a food service establishment regulatory program. There are approximately 35,000 food service establishments in Michigan. Actual regulatory program work is delegated to local public health departments, which perform plan reviews, conduct inspections, process license applications, take enforcement actions, investigate complaints, and conduct foodborne illness outbreak investigations. Local health departments establish fees for the local food service establishment inspection programs. With limited exceptions, the Food Law does not establish the amount of these local fees. However, section 3119 of the Food Law does establish state fees, which are in addition to local public health licensing fees. These state food service establishment licensing fees are collected by the local health department, remitted to MDARD, credited to the state restricted Dairy and Food Safety Fund, and used for MDARD food safety programs, as appropriated.

In amending the definition of food service establishments to exclude rental halls that do not have kitchens, House Bill 5911 could affect the work of local public health departments and related fee revenue, although the amount cannot be readily estimated at this time.

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