



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT

DR. TIM BORING
DIRECTOR

DATE: November 17, 2023

TO: All Local Health Departments (LHDs)
Attn: Medical Director / Health Officer / Director of Environmental Health
Michigan Department of Agriculture and Rural Development (MDARD)
Attn: Food and Dairy Division Managers

FROM: Rebecca L Vought
Local Health Services and Emergency Response Unit
Food and Dairy Division *Rebecca L Vought*

**SUBJECT: Food Service License Fees – Sunset Date and Transitory Food Unit (TFU)
License Fee Update**

Changes to the Michigan Food Law Section §3119 have been made under Act No. 194, Public Acts of 2023, and are effective as of November 7, 2023. This includes a new sunset date of December 31, 2027, and the ability for a local health department to charge their own set local license fee for Transitory Food Units (TFU). The language of the new section §3119 is as follows:

(1) Until December 31, 2027, on submission of an application, an applicant for a food service establishment license shall pay to the local health department having jurisdiction the required fees authorized by section 2444 of the public health code, MCL 333.2444, and an additional state license fee as follows:

- | | |
|--|------------------|
| <i>(a) Temporary food service establishment.....</i> | <i>\$ 4.00.</i> |
| <i>(b) Food service establishment.....</i> | <i>\$ 25.00.</i> |
| <i>(c) Mobile food establishment commissary.....</i> | <i>\$ 25.00.</i> |
| <i>(d) Transitory food unit.....</i> | <i>\$ 39.00.</i> |

(2) The state license fee required under subsection (1) must be collected by the local health department at the time the license application is submitted. The state license fee is due and payable by the local health department to the state within 60 days after the fee is collected.

(3) 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, 26 USC 501, is exempt from paying additional state license fees imposed under this section. This subsection does 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, MCL 333.2444. An organization seeking an exemption under this subsection shall furnish to the department or a local health department evidence of its tax-exempt status.

(4) A veteran who has a waiver of a license fee under the circumstances described in 1921 PA 359, MCL 35.441 to 35.443, is exempt from paying the fees prescribed in this section.

(5) The local health department shall forward the applications to the department with appropriate recommendations.

Below is a revised Local Health Department License Fee Chart that is effective from Nov 7, 2023, until Dec 31, 2027, unless otherwise notified. Please contact your LHS consultant or Becky Vought at 517-719-7919 if you have further questions.

2024-2027 Local Health Department Food License Fee Chart

Type	Local	State			
	LHD Fee	State Fee Section 3119	Consumer Education Section 4117	Industry Education Section 4117	Total \$ To State
Food Service Est. <i>(FSE)</i>	Local Fee	\$25.00	\$3.00	\$2.00	\$30.00
School	Local Fee	\$25.00	\$3.00	\$2.00	\$30.00
School	Fee Exempt	Fee Exempt	Fee Exempt	Fee Exempt	\$0.00
Mobile Food Service Est. <i>(MFE)</i>	Local Fee	\$25.00	\$3.00	\$2.00	\$30.00
Mobile Food Est. Commissary <i>(MFC)</i>	Local Fee	\$25.00	\$3.00	\$2.00	\$30.00
Transitory Food Unit <i>(TFU)</i>	Local Fee	\$39.00	\$3.00	\$2.00	\$44.00
Temporary Food	Local Fee	\$4.00	\$3.00	\$2.00	\$9.00
501(C)(3)** <i>FSE, MFE, MFC, TFU or Temporary</i>	Local Fee	Fee Exempt	\$3.00	\$2.00	\$5.00
501(C)(3)** <i>FSE, MFE, MFC, TFU or Temporary</i>	Fee Exempt	Fee Exempt	Fee Exempt	Fee Exempt	\$0.00
Veteran's License 1921 P.A 359*** <i>FSE, MFE, MFC, TFU or Temporary</i>	Local Fee	Fee Exempt	\$3.00	\$2.00	\$5.00

* Schools charged a local license fee must pay the applicable state fees. If a school is classified as fee exempt, the state fees do not need to be collected, and no license fee is charged.

** 501(C)(3) indicates a charitable, religious, fraternal, service, civic, or other nonprofit organizations. If a local license fee is charged for a 501(C)(3) food service establishment, mobile food service establishment, mobile food commissary, transitory food unit or temporary food establishment, the \$3.00 Consumer Education Fund fee and the \$2.00 Industry Education Fund fee must be collected. If a 501(C)(3) is classified as fee exempt, the state fees do not need to be collected, and no license fee is charged.

*** Individuals who have a Veteran's License issued under the authority of 1921 P.A. 359 by the County Clerk are exempt from paying the state fee under §3119 for food service establishment,

mobile food service establishment, mobile food commissary, temporary food service establishment, and transitory food unit. Those veterans, however, must pay the local license fee, \$3.00 Consumer Education Fund fee, the \$2.00 Industry Education Fund fee, and other local fees (e.g., plan review, TFU inspections).

Distribution List: MALEHA Listserv
MALPH Listserv
MDARD Licensing Unit
Adam Christenson