

HOUSE BILL No. 4773

June 16, 2011, Introduced by Reps. Hughes, Gilbert and Foster and referred to the Committee on Regulatory Reform.

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 3113 and 6101 (MCL 289.3113 and 289.6101), section 6101 as amended by 2007 PA 114.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3113. (1) A county, city, village, or township shall not
2 regulate those aspects of food service establishments or vending
3 machines ~~which~~ **THAT** are subject to regulation under this act except
4 to the extent necessary to carry out the responsibility of a local
5 health department to implement licensing provisions of chapter IV
6 **OR AS AUTHORIZED UNDER SECTION 6101(1)(C).**

7 (2) This chapter does not relieve the applicant for a license
8 or a licensee from responsibility for securing a local permit or
9 complying with applicable local codes, regulations, or ordinances

1 not in conflict with this act.

2 Sec. 6101. (1) Chapters 1 through 8 of the food code are
3 incorporated by reference except as amended and modified as
4 follows:

5 (a) Where provisions of this act ~~and~~ **OR** rules promulgated
6 under this act specify different requirements.

7 (b) Section 3-501.16(A)(2) is modified so that ~~"~~subparagraph
8 3-501.16(A)(2)(b) ~~"~~is stricken.

9 **(C) SECTION 6-501.115(B) IS AMENDED BY THE ADDITION OF**
10 **SUBPARAGRAPH (6) THAT READS AS FOLLOWS:**

11 **"(6) A DOG THAT IS CONTROLLED BY A CUSTOMER IN AN OUTDOOR**
12 **DINING AREA IF A HEALTH OR SAFETY HAZARD WILL NOT RESULT FROM**
13 **THE PRESENCE OR ACTIVITIES OF THE DOG."**

14 **A LOCAL UNIT OF GOVERNMENT MAY ADOPT AND ENFORCE AN ORDINANCE THAT**
15 **IS MORE RESTRICTIVE THAN SUBPARAGRAPH (6).**

16 (2) The director, by promulgation of a rule, may adopt any
17 changes or updates to the food code.

18 (3) The annexes of the food code are ~~considered~~ persuasive
19 authority for interpretation of the food code.