



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 986 (as reported without amendment)  
Sponsor: Senator Sarah Anthony  
Committee: Regulatory Affairs

### **CONTENT**

The bill would amend the Food Law to exempt from the Law's licensure requirements an individual operating a concession stand under the requirements of Public Act (PA) 260 of 1978, which provides for assistance to blind and visually disabled individuals.

The Food Law, among other things, prescribes requirements for the licensure and inspection of food service establishments and food establishments. Food service establishments include restaurants and similar places where food and beverages are served, as well as vending machine locations. Food establishments include grocery stores, food warehouses, food processors, and food service establishments.

Among other things, PA 260 of 1978 regulates concessions and concession licensure reserved for blind and visually impaired individuals. Concessions include equipment or locations being used to sell retail goods, and food items in State buildings and vending facilities, excluding State-owned fairgrounds, educational and penal institutions, military establishments, and parks. The Act requires the Commission for the Blind, under the Department of Labor and Economic Opportunity, to determine an applicant's qualifications to operate a concession.

### **BRIEF RATIONALE**

According to the Business Enterprise Program of the Michigan Bureau of Services for Blind Persons, the State can do more to provide individuals who are blind with opportunities for employment. Improved opportunities would benefit the blind individual and the State by supporting the individual to earn a livelihood independent of public assistance. It has been suggested that one way to assist these individuals would be to eliminate the licensure fee for blind business owners on State property.

MCL 289.4105

Legislative Analyst: Nathan Leaman

### **FISCAL IMPACT**

According to Michigan Department of Agriculture and Rural Development (MDARD), it received only \$14,627 in payments from these fees, so the costs of the legislation would be minimal to the State. The local license from a county's health department is set locally and can vary but also would likely be of minimal cost. In addition, according to the Department of Labor and Economic Opportunity, there are currently 40 legally blind individuals licensed to run small businesses that sell concessions on State and Federal properties across the State. Operators must comply with the Federal Randolph-Sheppard Act and Michigan's PA 260 of 1978 and are also regulated by PA 188 of 2016, which regulates the licensing of all food services and requires establishments to pay MDARD and/or a local health department a fee for licensing and inspections.

Date Completed: 10-11-24

Fiscal Analyst: Bruce R. Baker

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Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

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