

By: Senator(s) Huggins

To: Public Health and Welfare

SENATE BILL NO. 2554

1 AN ACT TO AMEND SECTIONS 41-3-18 AND 41-67-12, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE SCHEDULE OF FEES CHARGED BY THE STATE
3 DEPARTMENT OF HEALTH FOR FOOD SERVICE ESTABLISHMENT PERMITS AND
4 FOR WASTEWATER DISPOSAL SYSTEM EVALUATION, CERTIFICATION AND
5 MANUFACTURER REGISTRATION; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 41-3-18, Mississippi Code of 1972, is
8 amended as follows:

9 41-3-18. The board shall assess fees in the following
10 amounts and for the following purposes:

11 (a) Food service establishment annual permit fee, based
12 on the assessment factors of the establishment as follows:

13	Assessment Category 1.....	\$ 15.00
14	Assessment Category 2.....	30.00
15	Assessment Category 3.....	70.00
16	Assessment Category 4	100.00
17	Assessment Category 5	150.00

18 (b) Food processing establishment annual permit fee,
19 based on the assessment factors of the establishment as follows:

20	Assessment Categories 1 and 2	\$ 50.00
21	<u>Assessment Category 3</u>	<u>150.00</u>
22	<u>Assessment Categories 4 and 5</u>	<u>250.00</u>

23 (c) Plan Review fees for food establishments, based on
24 the assessment factors of the establishment as follows:

25	<u>Assessment Categories 1 and 2</u>	<u>\$100.00</u>
26	<u>Assessment Category 3</u>	<u>200.00</u>
27	<u>Assessment Categories 4 and 5</u>	<u>300.00</u>

28 (d) Private water supply approval fee \$ 10.00



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30 The board may develop such reasonable standards, rules and
31 regulations to clearly define each assessment category.
32 Assessment categories shall be based upon the factors to the
33 public health implications of the category and type of food
34 preparation being utilized by the food establishment, utilizing
35 the model Food Code of 1995, or as may be amended by the federal
36 Food and Drug Administration.

37 The fee authorized under paragraph (a) of this section shall
38 not be assessed for food establishments operated by public
39 schools, public junior and community colleges, or state agencies
40 or institutions, including without limitation, the state
41 institutions of higher learning and the State Penitentiary.

42 The fee authorized under paragraph (d) of this section shall
43 not be assessed for private water supplies used by foster homes
44 licensed by the Department of Human Services.

45 **SECTION 2.** Section 41-67-12, Mississippi Code of 1972, is
46 amended as follows:

47 41-67-12. (1) The department shall assess fees in the
48 following amounts for the following purposes:

49 (a) A fee of Seventy-five Dollars (\$75.00) shall be
50 levied for soil and site evaluation and recommendation of
51 individual on-site wastewater disposal systems.

52 (b) A fee of One Hundred Dollars (\$100.00) shall be
53 levied annually for the certification of installers and persons
54 engaging in the removal and disposal of the sludge and liquid
55 wastes from individual on-site wastewater disposal systems.

56 (c) A fee of Two Hundred Dollars (\$200.00) for each
57 product registered shall be levied annually for the registration
58 of manufacturers.

59 (2) In the discretion of the board, a person shall be liable
60 for a penalty equal to one and one-half (1-1/2) times the amount
61 of the fee due and payable for failure to pay the fee on or before



62 the date due, plus any amount necessary to reimburse the cost of
63 collection.

64 (3) The fee authorized under this section shall not be
65 assessed for any system operated by state agencies or
66 institutions, including without limitation, foster homes licensed
67 by the State Department of Human Services. The fee authorized
68 under this section shall not be charged again after payment of the
69 initial fee for any system that has been installed in accordance
70 with this chapter, within a period of twenty-four (24) months
71 following the date that the system was originally installed.

72 **SECTION 3.** This act shall take effect and be in force from
73 and after July 1, 2002.

