

2018 Regular Session

HOUSE BILL NO. 846

BY REPRESENTATIVE SIMON

1 AN ACT

2 To amend and reenact R.S. 40:4(A)(1)(c), relative to the state sanitary code; to provide
3 relative to retail food establishments regulated by the state health officer; to provide
4 limitations on water system testing requirements for certain retail food
5 establishments; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:4(A)(1)(c) is hereby amended and reenacted to read as follows:

8 §4. Sanitary Code

9 A. The state health officer acting through the office of public health of the
10 Louisiana Department of Health shall prepare, promulgate, and enforce rules and
11 regulations embodied within the state's Sanitary Code covering all matters within his
12 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary
13 Code shall be accomplished in strict accordance with the provisions of the
14 Administrative Procedure Act, and further, in conformity with the following
15 guidelines and directives:

16 (1)

17 * * *

18 (c)(i) In order to protect the public health, the state health officer shall
19 promulgate rules and regulations relative to retail food establishments.

20 (ii) The ~~Such~~ rules and regulations required by this Subparagraph shall not
21 require a retail food establishment which serves alcoholic beverages and consists of
22 five hundred square feet or less of usable floor area which is accessible to customers
23 to have more than one restroom facility consisting of one water closet and one

1 lavatory. Such limit of the required number of restroom facilities and fixtures shall
 2 not apply to retail food establishments which contain wet bars. For the purposes of
 3 this ~~Section~~ Subparagraph, "wet bar" shall be defined as a bar within a food service
 4 establishment at which patrons may walk up to, order, and receive an alcoholic
 5 beverage directly from a bartender.

6 (iii) The requirements of the sanitary code found in LAC 51:XII shall not
 7 apply to a water supply that services a retail food establishment that does not meet
 8 the definition of a "public water system" as set forth in R.S. 40:5.8.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____