Regular Session, 2014

HOUSE BILL NO. 1148

BY REPRESENTATIVE LORUSSO

SANITARY CODE: Provides with respect to certain food service establishment permits

1	AN ACT
2	To amend and reenact R.S. 40:5.5(C)(introductory paragraph) and to repeal R.S.
3	40:5.5(C)(6), relative to food service establishments; to require an employee of a
4	food service establishment hold a food safety certificate; to require an employee of
5	a mobile food service establishment hold a food handler certificate; to repeal an
6	outdated provision; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 40:5.5(C)(introductory paragraph) is hereby amended and reenacted
9	to read as follows:
10	§5.5. Sanitary inspections of certain restaurants; food safety certificates
11	* * *
12	C. On or after January 1, 1999, the The state health officer and the office of
13	public health of the Department of Health and Hospitals shall require, at a minimum,
14	the owner or a designated employee of a food service establishment to hold a food
15	safety certificate; however, prior to June 30, 2015, the state health officer and the
16	office of public health of the Department of Health and Hospitals shall not require
17	more than one owner or employee per establishment to hold a food safety certificate.
18	Beginning June 30, 2015, the state health officer and the office of public health of
19	the Department of Health and Hospitals may require a designated manager, or
20	equivalent person in charge, who holds a current food safety certificate be physically
21	present at each location of a food service establishment during hours of operation.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	If the food service establishment's permit is issued pursuant to the provisions of the
2	Department of Health and Hospital's rules and regulations for mobile food
3	establishments, mobile retail food stores and markets, and pushcarts, at least one
4	employee of the food service establishment who holds a food handler certificate or
5	its equivalent shall be present at the food service establishment. Provisions for the
6	issuance and renewal of such certificate the certificates required by this Subsection
7	shall be made part of the state's sanitary code in accordance with the provisions of
8	R.S. 40:4 and the following:
9	* * *
10	Section 2. R.S. $40:5.5(C)(6)$ is hereby repealed in its entirety.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

## Lorusso

HB No. 1148

**Abstract:** Requires employees of food service establishments to have a food safety certificate or a food handler certificate.

<u>Present law</u> requires, at a minimum, the owner or a designated employee of a food service establishment to hold a food safety certificate; however, the state health officer and the office of public health of the Dept. of Health and Hospitals (DHH) shall not require more than one owner or employee per establishment to hold a food safety certificate.

<u>Proposed law</u> retains <u>present law</u> but provides a sunset date of June 30, 2015 for the prohibition on requiring more than one owner or employee to hold a food safety certificate.

<u>Proposed law</u> authorizes, beginning June 30, 2015, the state health officer and the office of public health of DHH to require a designated manager, or equivalent person in charge, who holds a current food safety certificate be physically present at each location of a food service establishment during hours of operation.

<u>Proposed law</u> requires, if the food service establishment's permit is issued pursuant to the provisions of DHH's rules and regulations for mobile food establishments, mobile retail food stores and markets, and pushcarts, at least one employee of the food service establishment who holds a food handler certificate or its equivalent to be present at the food service establishment.

<u>Present law</u> provides that any food service establishment whose food sales are less than \$125,000 annually shall not be required to comply with <u>present law</u> until July 1, 2002.

Proposed law repeals present law.

(Amends R.S. 40:5.5(C)(intro. para.); Repeals R.S. 40:5.5(C)(6))