

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 294** HLS 14RS 1033

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 5, 2014	12:25 PM	Author: BISHOP, STUART
Dept./Agy.: Health and Hospitals		Analyst: Patrice Thomas
Subject: Application of Sanitary Code to Home Prepared Cane Syrup		

PUBLIC HEALTH

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Provides relative to preparation of cane syrup in the traditional manner for public consumption

Present law restricts the state Sanitary Code and any commercial food preparation code, law, or regulation from applying to the preparation of jellies, preserves, jams, honey, honeycomb products, cakes, and cookies by home-based preparers in their home for sale as long as gross annual sales are less than \$20,000. Proposed law expands present law to include home-based preparers of cane syrup. With respect to preparation of cane syrup, proposed law provides "the home" shall mean, in addition to a dwelling, an open-sided structure on private property that shelters a cast iron kettle, evaporator, or other equipment for preparing cane syrup in the traditional manner.

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						


EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed legislation exempts home preparers of cane syrup from the requirements of the state Sanitary Code. Presently, the Office of Public Health (OPH) within the Department of Health and Hospitals (DHH) performs retail food inspections of businesses applying for a retail food permit, however OPH does not perform inspections of personal residences.

REVENUE EXPLANATION

It is anticipated that self-generated revenues within OPH will decrease by an indeterminable amount as a result of this legislation. OPH would lose all revenues associated with home-based preparers of cane syrup listed in proposed law (R.S. 40:4.9) relative to permitting fees and penalties. The current permitting fee for retail food establishments is \$100. The current maximum civil fine for violations of the Sanitary Code relative to food preparation is \$100 per day per violation; however, there is a penalty cap of \$10,000 per year relative to the assessment of civil fines.

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| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |


John D. Carpenter
Legislative Fiscal Officer