1 A bill to be entitled 2 An act relating to temporary commercial kitchens; amending s. 509.101, F.S.; requiring operators of 3 4 public food service establishments who provide 5 commissary services to maintain a temporary commercial 6 kitchen registry; requiring temporary commercial 7 kitchen operators to display license numbers; amending 8 s. 509.102, F.S.; defining the term "temporary 9 commercial kitchen"; preempting regulation of temporary commercial kitchens to the state; providing 10 11 an effective date. 12 13 Be It Enacted by the Legislature of the State of Florida: 14

Section 1. Subsection (3) of section 509.101, Florida Statutes, is amended to read:

509.101 Establishment rules; posting of notice; food service inspection report; maintenance of guest register; mobile food dispensing vehicle registry.—

(3) It is the duty of each operator of a public food service establishment that provides commissary services to maintain a daily registry verifying that each mobile food dispensing vehicle or temporary commercial kitchen that receives such services is properly licensed by the division. In order that such licensure may be readily verified, each mobile food

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dispensing vehicle operator or temporary commercial kitchen
operator shall permanently affix in a prominent place on the
side of the vehicle or kitchen, in figures at least 2 inches
high and in contrasting colors from the background, the
operator's public food service establishment license number.
Prior to providing commissary services, each public food service
establishment must verify that the license number displayed on
the vehicle or kitchen matches the number on the vehicle or
kitchen operator's public food service establishment license.
 Section 2. Subsections (1), (2), and (3) of section
509.102, Florida Statutes, are amended to read:

509.102 Mobile food dispensing vehicles; temporary commercial kitchens; preemption.—

- (1) (a) As used in this section, the term "mobile food dispensing vehicle" means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.
- (b) As used in this section, the term "temporary commercial kitchen" means any kitchen that is a public food service establishment, used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle mounted, that include self-contained utilities,

including, but not limited to, gas, water, electricity, or liquid waste disposal. Such kitchens are subject to all provisions of this chapter except as may be provided herein. The term does not include a tent.

- temporary commercial kitchens, involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle or temporary commercial kitchen within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles or temporary commercial kitchens from operating within the entirety of the entity's jurisdiction.
- (b) Any mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment may operate during the same hours of operation as the separately licensed public food service establishment that operates such mobile food dispensing vehicle or temporary commercial kitchen.
- (3) This section may not be construed to affect a municipality, county, or other local governmental entity's

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authority to regulate the operation of mobile food dispensing vehicles or temporary commercial kitchens other than the regulations described in subsection (2).

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Section 3. This act shall take effect July 1, 2023.

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