

By Senator Sebesta

16-1220A-04

1 A bill to be entitled
2 An act relating to food service employee
3 training; amending s. 509.049, F.S.; providing
4 that the approval of a food safety training
5 program is subject to continued compliance by
6 the private nonprofit provider and its program
7 with laws and rules of the Division of Hotels
8 and Restaurants of the Department of Business
9 and Professional Regulation; authorizing the
10 division to conduct random audits of providers;
11 authorizing the division to adopt rules for the
12 maintenance of records concerning food service
13 employees and establishments; authorizing the
14 division to adopt rules regarding revocation of
15 program approval; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsections (4) and (6) of section 509.049,
20 Florida Statutes, are amended to read:

21 509.049 Food service employee training.--

22 (4) Approval of a program is subject to the ~~provider's~~
23 continued compliance of the provider and its program with this
24 section and the rules adopted under this section ~~the~~
25 ~~division's minimum program standards~~. The division may conduct
26 random audits of approved programs and providers to determine
27 compliance and may audit any program or provider if it has
28 reason to believe a program or provider is not in compliance
29 ~~with this section~~. The division may revoke a program's
30 approval if it finds a program or provider is not in

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1 compliance with this section or the rules adopted hereunder
2 ~~under this section.~~

3 (6) The division may adopt rules pursuant to ss.
4 120.536(1) and 120.54 necessary to administer this section.
5 The rules may require:

6 (a) The use of application forms, which may require,
7 but need not be limited to, the identification of training
8 components of the program and an applicant affidavit attesting
9 to the accuracy of the information provided in the
10 application;

11 (b) Providers to maintain records information
12 concerning food service employees establishments where they
13 have trained provide training pursuant to this section and
14 establishments where their program is used to provide training
15 to food service employees, and to submit such records to the
16 division upon request;

17 (c) Revocation of program approval if the provider has
18 failed to maintain required records or has knowingly
19 participated in falsifying any training record;

20 (d)~~(c)~~ Specific subject matter related to food safety
21 for use in training program components; and

22 (e)~~(d)~~ The licensee to be responsible for providing
23 proof of employee training, and the division may request
24 production of such proof upon inspection of the establishment.

25 Section 2. This act shall take effect upon becoming a
26 law.

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SENATE SUMMARY

Provides that the approval of a food safety training program is subject to continued compliance of the private nonprofit provider and its program with the statutory provisions and rules relating to public food service establishments. Provides that the Division of Hotels and Restaurants of the Department of Business and Professional Regulation may conduct random audits of programs and providers. Provides that the division may adopt rules for providers to maintain records concerning food service employees and establishments. Provides that the division may adopt rules regarding revocation of program approval.