

CS/HB 295

2010

1 A bill to be entitled
2 An act relating to food service inspections of domestic
3 violence centers; amending s. 381.006, F.S.; including the
4 investigation of domestic violence center food service
5 programs within the Department of Health's environmental
6 health program; amending s. 381.0072, F.S.; revising the
7 definition of the term "food service establishment" to
8 exclude domestic violence centers under certain
9 conditions; providing an effective date.

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

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13 Section 1. Subsection (18) is added to section 381.006,
14 Florida Statutes, to read:

15 381.006 Environmental health.—The department shall conduct
16 an environmental health program as part of fulfilling the
17 state's public health mission. The purpose of this program is to
18 detect and prevent disease caused by natural and manmade factors
19 in the environment. The environmental health program shall
20 include, but not be limited to:

21 (18) A food service inspection function for domestic
22 violence centers that are certified and monitored by the
23 Department of Children and Family Services under part XIII of
24 chapter 39, which shall be conducted annually and be limited to
25 the requirements in department rule applicable to community-
26 based residential facilities with five or fewer residents.

28 | The department may adopt rules to carry out the provisions of
29 | this section.

30 | Section 2. Paragraph (b) of subsection (1) of section
31 | 381.0072, Florida Statutes, is amended to read:

32 | 381.0072 Food service protection.—It shall be the duty of
33 | the Department of Health to adopt and enforce sanitation rules
34 | consistent with law to ensure the protection of the public from
35 | food-borne illness. These rules shall provide the standards and
36 | requirements for the storage, preparation, serving, or display
37 | of food in food service establishments as defined in this
38 | section and which are not permitted or licensed under chapter
39 | 500 or chapter 509.

40 | (1) DEFINITIONS.—As used in this section, the term:

41 | (b) "Food service establishment" means any facility, as
42 | described in this paragraph, where food is prepared and intended
43 | for individual portion service, and includes the site at which
44 | individual portions are provided. The term includes any such
45 | facility regardless of whether consumption is on or off the
46 | premises and regardless of whether there is a charge for the
47 | food. The term includes detention facilities, child care
48 | facilities, schools, institutions, civic or fraternal
49 | organizations, bars and lounges and facilities used at temporary
50 | food events, mobile food units, and vending machines at any
51 | facility regulated under this section. The term does not include
52 | private homes where food is prepared or served for individual
53 | family consumption; nor does the term include churches,
54 | synagogues, or other not-for-profit religious organizations as
55 | long as these organizations serve only their members and guests

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56 | and do not advertise food or drink for public consumption, or
57 | any facility or establishment permitted or licensed under
58 | chapter 500 or chapter 509; nor does the term include any
59 | theater, if the primary use is as a theater and if patron
60 | service is limited to food items customarily served to the
61 | admittees of theaters; nor does the term include a research and
62 | development test kitchen limited to the use of employees and
63 | which is not open to the general public; nor does the term
64 | include a domestic violence center certified and monitored by
65 | the Department of Children and Family Services under part XIII
66 | of chapter 39 if the center does not prepare and serve food to
67 | its residents and does not advertise food or drink for public
68 | consumption.

69 | Section 3. This act shall take effect July 1, 2010.