



861482

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/09/2010	.	
	.	
	.	
	.	

The Committee on Children, Families, and Elder Affairs (Rich) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 24 - 72
and insert:

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

The department may adopt rules to carry out the provisions of



861482

13 this section.

14 Section 2. Paragraph (b) of subsection (1) of section
15 381.0072, Florida Statutes, is amended to read:

16 381.0072 Food service protection.—It shall be the duty of
17 the Department of Health to adopt and enforce sanitation rules
18 consistent with law to ensure the protection of the public from
19 food-borne illness. These rules shall provide the standards and
20 requirements for the storage, preparation, serving, or display
21 of food in food service establishments as defined in this
22 section and which are not permitted or licensed under chapter
23 500 or chapter 509.

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

25 (b) "Food service establishment" means any facility, as
26 described in this paragraph, where food is prepared and intended
27 for individual portion service, and includes the site at which
28 individual portions are provided. The term includes any such
29 facility regardless of whether consumption is on or off the
30 premises and regardless of whether there is a charge for the
31 food. The term includes detention facilities, child care
32 facilities, schools, institutions, civic or fraternal
33 organizations, bars and lounges and facilities used at temporary
34 food events, mobile food units, and vending machines at any
35 facility regulated under this section. The term does not include
36 private homes where food is prepared or served for individual
37 family consumption; nor does the term include churches,
38 synagogues, or other not-for-profit religious organizations as
39 long as these organizations serve only their members and guests
40 and do not advertise food or drink for public consumption, or
41 any facility or establishment permitted or licensed under



861482

42 chapter 500 or chapter 509; nor does the term include any
43 theater, if the primary use is as a theater and if patron
44 service is limited to food items customarily served to the
45 admittees of theaters; nor does the term include a research and
46 development test kitchen limited to the use of employees and
47 which is not open to the general public; nor does the term
48 include a domestic violence center certified and monitored by
49 the Department of Children and Family Services under part XIII
50 of chapter 39 if the center does not prepare and serve food to
51 its residents and does not advertise food or drink for public
52 consumption.

53
54 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

55 And the directory clause is amended as follows:

56 Delete lines 15 - 17

57 and insert:

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

60
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete lines 2 - 11

64 and insert:

65 An act relating to food service inspections of
66 domestic violence centers; amending s. 381.006, F.S.;
67 including the investigation of domestic violence
68 center food service programs within the Department of
69 Health's environmental health program; amending s.
70 381.0072, F.S.; revising the definition of the term



861482

71 "food service establishment" to exclude domestic
72 violence centers under certain conditions; providing
73 an effective date.