

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Business & Professions
 2 Subcommittee

3 Representative Raulerson offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove lines 26-56 and insert:

7 2. Any eating place maintained and operated by a church or
 8 a religious, nonprofit fraternal, or nonprofit civic
 9 organization:

10 a. For the use of members and associates;~~or~~

11 b. Temporarily to serve such events as fairs, carnivals,
 12 food contests, or athletic contests; ~~or,~~

13 c. Maintained and operated by an individual or entity, at
 14 a temporary event lasting 3 days or less, that is hosted by a
 15 church or a religious, nonprofit fraternal, or nonprofit civil
 16 organization, whom the individual or entity guarantees a
 17 percentage of the profit generated at the event will be provided

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18 to the nonprofit host, and whom the individual or entity did not
19 generate annual revenue greater than \$4,000 during the previous
20 calendar year from eating places or temporary food service
21 events. Upon request of the division, an individual or entity
22 who claims an exemption under this paragraph must provide the
23 division documentation of revenue generated, if any, at eating
24 places or temporary food service events during the previous
25 calendar year.

26 3. Any eating place located on an airplane, train, bus, or
27 watercraft which is a common carrier.

28 4. Any eating place maintained by a facility certified or
29 licensed and regulated by the Agency for Health Care
30 Administration or the Department of Children and Families or
31 other similar place that is regulated under s. 381.0072.

32 5. Any place of business issued a permit or inspected by
33 the Department of Agriculture and Consumer Services under s.
34 500.12.

35 6. Any place of business where the food available for
36 consumption is limited to ice, beverages with or without
37 garnishment, popcorn, or prepackaged items sold without
38 additions or preparation.

39 7. Any theater, if the primary use is as a theater and if
40 patron service is limited to food items customarily served to
41 the admittees of theaters.

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42 8. Any vending machine that dispenses any food or
43 beverages other than potentially hazardous foods, as defined by
44 division rule.

45 9. Any vending machine that dispenses potentially
46 hazardous food and which is located in a facility regulated
47 under s. 381.0072.

48 10. Any research and development test kitchen limited to
49 the use of employees and which is not open to the general
50 public.

51 Section 2. Paragraph (c) of subsection (3) of section
52 509.032, Florida Statutes, is amended to read:

53 509.032 Duties.—

54 (3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD
55 SERVICE EVENTS.—The division shall:

56 (c) Administer a public notification process for temporary
57 food service events and distribute educational materials that
58 address safe food storage, preparation, and service procedures.

59 1. Sponsors of temporary food service events shall notify
60 the division, on a form adopted by rule of the division, not
61 less than 3 days before the scheduled event of the type of food
62 service proposed, the time and location of the event, a complete
63 list of food service vendors participating in the event, a
64 complete list of the names, addresses, phone numbers, and type
65 of exemption claimed for any individuals or entities maintaining
66 or operating an eating place and claiming an exemption under s.
67 509.013(5)(b), the number of individual food service facilities

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68 each vendor will operate at the event, and the identification
69 number of each food service vendor's current license as a public
70 food service establishment or temporary food service event
71 licensee. Notification may be completed orally, by telephone, in
72 person, or in writing. A public food service establishment or
73 food service vendor may not use this notification process to
74 circumvent the license requirements of this chapter.

75 2. The division shall keep a record of all notifications
76 received for proposed temporary food service events and shall
77 provide appropriate educational materials to the event sponsors,
78 including the food-recovery brochure developed under s. 595.420.

79 3.a. A public food service establishment or other food
80 service vendor, unless exempted by s. 509.013(5)(b), must obtain
81 one of the following classes of license from the division: an
82 individual license, for a fee of no more than \$105, for each
83 temporary food service event in which it participates; or an
84 annual license, for a fee of no more than \$1,000, that entitles
85 the licensee to participate in an unlimited number of food
86 service events during the license period. The division shall
87 establish license fees, by rule, and may limit the number of
88 food service facilities a licensee may operate at a particular
89 temporary food service event under a single license.

90 b. Public food service establishments holding current
91 licenses from the division may operate under the regulations of
92 such a license at temporary food service events of 3 days or
93 less in duration.

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T I T L E A M E N D M E N T

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Remove line 5 and insert:

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exclude certain events; amending s. 509.032, F.S.; providing

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additional requirements for temporary food service event hosts;

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providing rulemaking authority; providing an effective date.