

1                                   A bill to be entitled  
 2           An act relating to public food service establishments;  
 3           amending s. 509.013, F.S.; revising the definition of  
 4           the term "public food service establishment" to  
 5           exclude certain events; providing an effective date.

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

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 9           Section 1. Subsection (5) of section 509.013, Florida  
 10   Statutes, is amended to read:

11           509.013 Definitions.—As used in this chapter, the term:

12           (5) (a) "Public food service establishment" means any  
 13   building, vehicle, place, or structure, or any room or division  
 14   in a building, vehicle, place, or structure where food is  
 15   prepared, served, or sold for immediate consumption on or in the  
 16   vicinity of the premises; called for or taken out by customers;  
 17   or prepared prior to being delivered to another location for  
 18   consumption.

19           (b) The following are excluded from the definition in  
 20   paragraph (a):

21           1. Any place maintained and operated by a public or  
 22   private school, college, or university:

- 23           a. For the use of students and faculty; or
- 24           b. Temporarily to serve such events as fairs, carnivals,  
 25   food contests, and athletic contests.

26           2. Any eating place maintained and operated by, or for the

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27 | benefit of, a church or a religious, nonprofit fraternal, or  
28 | nonprofit civic organization:

29 |       a. For the use of members and associates; or

30 |       b. Temporarily to serve such events as fairs, carnivals,  
31 | food contests, or athletic contests.

32 |       3. Any eating place located on an airplane, train, bus, or  
33 | watercraft which is a common carrier.

34 |       4. Any eating place maintained by a facility certified or  
35 | licensed and regulated by the Agency for Health Care  
36 | Administration or the Department of Children and Families or  
37 | other similar place that is regulated under s. 381.0072.

38 |       5. Any place of business issued a permit or inspected by  
39 | the Department of Agriculture and Consumer Services under s.  
40 | 500.12.

41 |       6. Any place of business where the food available for  
42 | consumption is limited to ice, beverages with or without  
43 | garnishment, popcorn, or prepackaged items sold without  
44 | additions or preparation.

45 |       7. Any theater, if the primary use is as a theater and if  
46 | patron service is limited to food items customarily served to  
47 | the admittees of theaters.

48 |       8. Any vending machine that dispenses any food or  
49 | beverages other than potentially hazardous foods, as defined by  
50 | division rule.

51 |       9. Any vending machine that dispenses potentially  
52 | hazardous food and which is located in a facility regulated

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53 | under s. 381.0072.

54 |       10. Any research and development test kitchen limited to  
55 | the use of employees and which is not open to the general  
56 | public.

57 |       Section 2. This act shall take effect July 1, 2015.