

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative McClain offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 180 and 181, insert:

5 Section 8. Section 509.105, Florida Statutes, is created  
6 to read:

7 509.105 Outdoor kitchen equipment.—

8 (1) As used in this section, the term "outdoor kitchen  
9 equipment" means equipment used to prepare, serve, or sell food  
10 for immediate consumption, including a cooking appliance, that  
11 is owned by, is adjacent to, and operates in conjunction with a  
12 licensed public food service establishment.

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13 (2) Notwithstanding any other provision of law, outdoor  
14 kitchen equipment:

15 (a) Is not required to be separately covered, have  
16 overhead protection or hoods, or be enclosed. However, outdoor  
17 kitchen equipment must meet all other applicable laws, codes,  
18 standards, and rules, including for fire safety and sanitation.

19 (b) May be used to prepare, serve, or sell food for  
20 immediate consumption as provided in this chapter. Any food that  
21 is prepared on outdoor kitchen equipment must be kept at  
22 appropriate temperatures and prepared using sanitation  
23 practices, as required by this chapter. Such food may not be  
24 permanently stored outdoors but is permitted to be temporarily  
25 stored outside the licensed food service establishments'  
26 enclosure while preparation is taking place on such kitchen  
27 equipment.

28 (c) Is subject to all other provisions of this chapter  
29 that apply to public food service establishments, including but  
30 not limited to, sanitation standards, food safety training,  
31 inspections, enforcement, and disciplinary action.

32 (3) A local law, ordinance, or regulation may not  
33 prohibit, or have the effect of prohibiting, the use of outdoor  
34 kitchen equipment.

35 (4) This section does not prevent the department or a  
36 local health department from issuing and enforcing an order to  
37 cease and desist use of outdoor kitchen equipment if the

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38 equipment is the source of an adulterated food or of an outbreak  
39 of illness caused by contaminated food.

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**T I T L E   A M E N D M E N T**

43 Remove line 33 and insert:

44 guest register; creating s. 509.105, F.S.; defining "outdoor  
45 kitchen equipment"; authorizing certain uses of outdoor kitchen  
46 equipment; providing applicability; providing prohibitions;  
47 providing enforcement; amending s. 509.241, F.S.; providing