

2017 Regular Session

HOUSE BILL NO. 520

BY REPRESENTATIVE JIMMY HARRIS

FEES/LICENSES/PERMITS: Establishes a temporary permit fee for food and beverage vendors at fairs and festivals

1 AN ACT

2 To amend and reenact R.S. 40:4.7 and 4.8, relative to permit fees for food and beverage  
3 vendors at fairs and festivals; to require a temporary permit fee for food and  
4 beverage vendors at the New Orleans Jazz and Heritage Festival; to authorize a  
5 temporary permit fee for food and beverage vendors at fairs and festivals; to  
6 establish the amount of the fee; to make technical changes; to provide for an  
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:4.7 and 4.8 are hereby amended and reenacted to read as follows:

10 §4.7. New Orleans Jazz and Heritage Festival

11 A. Food ~~Each food and beverage services vendor~~ at the New Orleans Jazz  
12 and Heritage Festival shall be subject to permitting, ~~inspection~~, and compliance with  
13 applicable provisions of the state sanitary code and especially the special event food  
14 and beverage preparation regulations that pertain to equipment, design, construction,  
15 utensils, supplies, preparation, and services. The festival shall not be subject to  
16 exemptions granted in R.S. 40:4.5.

17 B. Notwithstanding any contrary provision of the state sanitary code or any  
18 contrary provision of any other law or regulation, the Louisiana Department of  
19 Health shall charge a temporary permit fee in the amount of thirty-seven dollars and  
20 fifty cents to each food and beverage vendor at the festival.

1 §4.8. Voluntary sanitary inspections of food booths

2 A.(1) The Louisiana Department of Health shall inspect and may permit food  
3 booths at recognized Louisiana fairs and festivals for compliance with the special  
4 event food and beverage preparation regulations upon written request and signed  
5 agreement from the officials or organizations operating or directing ~~such~~ the fairs or  
6 festivals. ~~Such~~ The inspections shall be voluntary on the part of the officials or  
7 organizers of the fairs and festivals. The department shall exercise the enforcement  
8 powers authorized by the state's sanitary code when complying with a request and  
9 agreement executed in accordance with this Section.

10 (2) The department may establish and charge reasonable fees for ~~such~~ the  
11 inspections and permitting consistent with current administrative regulations. ~~Such~~  
12 ~~fee~~ The fees shall not exceed ~~twenty-five dollars per~~ thirty-seven dollars and fifty  
13 cents for each food and beverage vendor at each fair or festival.

14 B. Neither the department nor the state shall be liable for a failure to inspect  
15 any fair or festival when the officials or organizations operating or directing ~~such~~ the  
16 fair or festival fail to make a written request and execute a signed agreement for ~~such~~  
17 the inspection pursuant to this Section.

18 Section 2. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 520 Original

2017 Regular Session

Jimmy Harris

**Abstract:** Requires a temporary permit fee for each food and beverage vendor at fairs and festivals including the New Orleans Jazz and Heritage Festival.

Present law provides that food and beverage services at the New Orleans Jazz and Heritage Festival are subject to inspection and compliance with applicable provisions of the state

sanitary code including the special event food and beverage preparation regulations that pertain to equipment, design, construction, utensils, supplies, preparation, and services.

Proposed law changes food and beverage services to food and beverage vendor and subjects the vendor to permitting requirements.

Proposed law authorizes the La. Dept. of Health (LDH) to charge a temporary permit fee in the amount of \$37.50 to each food and beverage vendor at the festival.

Present law requires LDH to inspect and authorizes LDH to permit food booths at recognized La. fairs and festivals for compliance with the special event food and beverage preparation regulations upon written request and signed agreement from the officials or organizations operating or directing the fairs or festivals.

Proposed law retains present law but makes technical changes.

Present law authorizes LDH to establish and charge reasonable fees for inspections consistent with current administrative regulations not exceed \$25 per fair or festival.

Proposed law changes the inspection fee to a temporary permit fee and increases the maximum amount of the fee to \$37.50 for each food and beverage vendor at the fair or festival.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:4.7 and 4.8)