HLS 18RS-1745 ENGROSSED

2018 Regular Session

HOUSE BILL NO. 846

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BY REPRESENTATIVE SIMON

SANITARY CODE: Provides relative to water system testing at certain businesses which apply for or hold retail food permits

AN ACT

2 To amend and reenact R.S. 40:4(A)(1)(c), relative to the state sanitary code; to provide 3 relative to retail food establishments regulated by the state health officer; to provide 4 limitations on water system testing requirements for certain retail food 5 establishments; and to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. R.S. 40:4(A)(1)(c) is hereby amended and reenacted to read as follows: 8 §4. Sanitary Code 9 A. The state health officer acting through the office of public health of the 10 Louisiana Department of Health shall prepare, promulgate, and enforce rules and 11 regulations embodied within the state's Sanitary Code covering all matters within his 12 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary 13 Code shall be accomplished in strict accordance with the provisions of the 14 Administrative Procedure Act, and further, in conformity with the following 15 guidelines and directives: 16 (1) 17 18 (c)(i) In order to protect the public health, the state health officer shall 19 promulgate rules and regulations relative to retail food establishments.

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(ii) The Such rules and regulations required by this Subparagraph shall not require a retail food establishment which serves alcoholic beverages and consists of five hundred square feet or less of usable floor area which is accessible to customers to have more than one restroom facility consisting of one water closet and one lavatory. Such limit of the required number of restroom facilities and fixtures shall not apply to retail food establishments which contain wet bars. For the purposes of this Section Subparagraph, "wet bar" shall be defined as a bar within a food service establishment at which patrons may walk up to, order, and receive an alcoholic beverage directly from a bartender.

(iii) The rules and regulations required by this Subparagraph shall not apply to a retail food establishment which is open to the public for fewer than one hundred eighty days per year and has a water system with fewer than fifteen service connections.

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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)]

HB 846 Engrossed

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Simon

Abstract: Provides that rules and regulations relative to water system testing shall not apply to certain businesses which apply for or hold retail food establishment permits.

<u>Present law</u> provides that in order to protect the public health, the state health officer shall promulgate rules and regulations relative to retail food establishments.

<u>Proposed law</u> stipulates that the rules and regulations promulgated in accordance with <u>present law</u> shall not apply to a retail food establishment which is open to the public for fewer than 180 days per year and has a water system with fewer than 15 service connections.

(Amends R.S. 40:4(A)(1)(c))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the <u>original</u> bill:

1. Revise <u>proposed law</u> to provide that the rules and regulations required by <u>present law</u> relative to regulation of retail food establishments shall not apply to a retail food establishment which is open to the public for fewer than 180 days per year and has a water system with fewer than 15 service connections.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.