

**ASSEMBLY BILL**

**No. 2297**

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**Introduced by Assembly Member Hayashi**

February 24, 2012

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An act to add Section 113714 to the Health and Safety Code, relating to food facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2297, as introduced, Hayashi. California Retail Food Code: long-term health care facilities.

Existing law, the California Retail Food Code, provides for the regulation of health and sanitation standards for retail food facilities, as defined, by the State Department of Public Health and is primarily enforced by local health agencies. A violation of any provision of the code is a misdemeanor.

Existing law, the Long-Term Care, Health, Safety, and Security Act of 1973, provides for the regulation of long-term health care facilities, as defined, by the department.

This bill would require the Licensing and Certification Division of the department to have primary responsibility for enforcement of the California Retail Food Code for long-term health facilities, and would provide that a violation of the code by a long-term health care facility is only subject to the penalties described in the code.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 113714 is added to the Health and Safety  
2 Code, to read:  
3 113714. Notwithstanding any other provision of law, the  
4 Licensing and Certification Division of the department shall have  
5 primary responsibility for enforcement of this part for long-term  
6 health care facilities, as defined in Section 1418. Notwithstanding  
7 Chapter 2.4 (commencing with Section 1417) of Division 2, a  
8 violation of this part by a long-term health care facility shall only  
9 be subject to the penalties described in this part.

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