

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY MARCH 19, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 724

Introduced by Assembly Member Dodd

February 25, 2015

An act to amend Section 113755 of, and to add Section 114364 to, of the Health and Safety Code, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 724, as amended, Dodd. Temporary food facilities: community event.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities, including temporary food facilities, by the State Department of Public Health. Existing law provides that local health agencies are primarily responsible for enforcing this code. A violation of any provision of the code is generally punishable as a misdemeanor. Existing law requires temporary food facilities that operate at a community event to meet specified requirements, and defines "community event" for these purposes: *purposes to mean an event that is of a civil, political, public, or educational nature, including state and county fairs.*

This bill would require a temporary food facility to be granted a permit to operate at a community event if the enforcement agency makes a determination that the temporary food facility meets specified requirements, and would require the permit to be issued for the entire duration of the community event. The bill would revise the definition of community event to *explicitly* include a district fair. ~~By requiring a~~

local enforcement agency to issue a permit to a temporary food facility to operate at a community event under specified circumstances, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:

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

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

1 SECTION 1. Section 113755 of the Health and Safety Code
2 is amended to read:

3 113755. "Community event" means an event that is of a civic,
4 political, public, or educational nature, including state, district,
5 and county fairs, city festivals, circuses, and other public gathering
6 events approved by the local enforcement agency.

7 SEC. 2. Section 114364 is added to the Health and Safety Code,
8 immediately following Section 114363, to read:

9 114364. (a) A temporary food facility shall, upon application,
10 be granted a permit to operate at a community event if the
11 enforcement agency makes a determination that the temporary
12 food facility meets the requirements specified in subdivisions (b)
13 and (c) of Section 114335.

14 (b) A permit issued to a temporary food facility to operate at a
15 community event under subdivision (a) shall be issued for the
16 entire duration of the community event and shall expire at the end
17 of that duration.

18 SEC. 3. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.

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