

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1051

By: Bastin

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-1118, which relates to sellers of food; mandating certain rules requiring food handlers and managers to have training in food handling techniques; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-1118, is amended to read as follows:

Section 1-1118. ~~(a)~~ A. It shall be unlawful for any person to operate or maintain any establishment, stationary or otherwise, where food or drink is offered for sale, or sold, to the public, unless he is the holder of a license issued for such purpose by the State Commissioner of Health. Unless otherwise provided by rule by the State Board of Health, each such license shall expire on the 30th day of June following its issuance, and the Commissioner shall charge and collect for each such license an annual fee to be fixed by the State Board of Health. A license shall not be required of a nonprofit civic, charitable or religious organization, using nonpaid persons to prepare or serve food on its behalf, for occasional

fund-raising events sponsored and conducted by the organization. The Commissioner shall provide guidelines for safeguarding the health of customers of such events. The Board may by rule provide that a license which is fee-exempt under rules adopted by the Board pursuant to subsection D of Section 1-106.1 of this title shall not expire but shall remain in full force and effect until affirmatively revoked, suspended, annulled or withdrawn by the Commissioner of Health in accordance with applicable law. Notwithstanding any other provision of law, the Board may by rule also provide that licenses for establishments serving events of limited duration or operating on a seasonal basis shall extend only for the term of the event or season, and may by rule adjust the fees for such licenses accordingly.

~~(b)~~ B. The State Board of Health shall adopt reasonable ~~standards, rules and regulations~~ for sanitation of establishments required to be licensed, including the following items: ~~buildings~~

1. Buildings, vehicles, and appurtenances thereto, including plumbing, ventilation and lighting; ~~construction~~

2. Construction, cleanliness and bactericidal treatment of equipment and utensils; ~~cleanliness~~

3. Cleanliness, wholesomeness, storage and refrigeration of food and drink sold or served; ~~cleanliness~~

4. Cleanliness and hygiene of personnel; ~~toilet~~

5. Toilet facilities; ~~disposal~~

6. Disposal of waste; ~~water~~

7. Water supply;

8. Adequate training for food handlers and managers in food handling techniques; and ~~other~~

9. Other items deemed necessary to safeguard the health, comfort, and safety of customers.

~~(c)~~ C. Day care centers or family day care centers, and all other child care facilities as defined in Section 402 of Title 10 of

the Oklahoma Statutes, licensed pursuant to the provisions of the Oklahoma Child Care Facilities Licensing Act shall not be deemed to be a food service establishment.

SECTION 2. This act shall become effective November 1, 1995.

45-1-6135

MCD