

SB 594

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THE STATE SENATE
Monday, February 23, 2009

Senate Bill No. 594
As Amended

SENATE BILL NO. 594 - By: Easley of the Senate and Sherrer of the House.

[public health and safety - food employee education program
- codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1151 of Title 63, unless there is created a duplication in numbering, reads as follows:

For purposes of this act:

1. "Food employee" means a person working in a food service establishment with unpackaged food, food equipment or utensils, or food-contact surfaces; and

2. "Food service establishment" means an operation subject to licensure pursuant to Section 1-1101 et seq. of this title that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1152 of Title 63, unless there is created a duplication in numbering, reads as follows:

1 A. The State Department of Health shall develop and implement a
2 food employee education program. The purpose of the food employee
3 education program shall be to ensure that food employees have
4 knowledge of safe techniques for proper storage, preparation,
5 display, and service of foods in order to protect the public by
6 reducing the risks of a foodborne illness.

7 B. The Department shall adopt a curriculum which, at a minimum,
8 shall include training on food safety and sanitation, hazards to
9 food safety, factors that affect foodborne illness, the Hazard
10 Analysis Critical Control Point (HACCP) System, and food safety
11 regulations.

12 C. The Department shall issue a food employee certification
13 card to persons who satisfactorily complete the course of training
14 and pass a food employee certification examination. A food employee
15 certification shall expire three years after the date of issuance.

16 D. The Department may assess a fee not to exceed Ten Dollars
17 (\$10.00) per person for the administration of the food education
18 program. The Department may assess a fee not to exceed Five Dollars
19 (\$5.00) for each duplicate food employee certification card.

20 E. The Department may enter into contracts with public or
21 private entities to implement the food employee education program.

22 F. The food employee education program may be delivered through
23 the internet.

1 G. This act shall not affect an ordinance or rule adopted and
2 enforced by a political subdivision to require food employee
3 education and certification.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1-1153 of Title 63, unless there
6 is created a duplication in numbering, reads as follows:

7 A. No person who operates a food service establishment shall
8 hire, permit to be hired, or permit to work any food employee who
9 does not possess a current and unrevoked food employee
10 certification.

11 B. No person shall work in a food service establishment as a
12 food employee unless such person has in his or her possession a
13 current and unrevoked food employee certification card and a
14 government-issued photo identification card available at all times
15 while working at the food service establishment.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1-1154 of Title 63, unless there
18 is created a duplication in numbering, reads as follows:

19 The State Board of Health shall promulgate rules as necessary to
20 implement the provisions of this act, which, at a minimum, shall
21 include minimum criteria for food employee certification and
22 recertification and penalties for noncompliance. The rules may
23 provide for certification and recertification of food employees who

1 have been certified by a local health jurisdiction and have
2 completed education and examination requirements substantially
3 similar to those required by this act.

4 SECTION 5. This act shall become effective November 1, 2009.

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-09 - DO
6 PASS, As Amended and Coauthored.