

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1851
Page 5 Section 4 Lines 10 1/2
Of the printed Bill
Of the Engrossed Bill

By adding a new Section 4 to read as follows:

See attached

And by renumbering the subsequent section.

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Lisa Billy _____

Reading Clerk

1 "SECTION 4. AMENDATORY 63 O.S. 2011, Section 1-1118, is
2 amended to read as follows:

3 Section 1-1118. A. It shall be unlawful for any person to
4 operate or maintain any establishment, stationary or otherwise,
5 where food or drink is offered for sale, or sold, to the public,
6 unless the person is the holder of a food service establishment
7 license issued for such purpose by the State Commissioner of Health
8 or an authorized designee. A license shall not be required for:

9 1. A produce stand that only offers whole, uncut and
10 unprocessed fresh fruits, melons and vegetables;

11 2. A produce stand that only offers whole, uncracked and
12 unprocessed nuts and legumes; and

13 3. A manufacturer, wholesaler or broker of food licensed
14 pursuant to Section 1-1119 of this title.

15 B. Unless otherwise provided by rule by the State Board of
16 Health, each such license shall expire on the 30th day of June
17 following its issuance. The Commissioner shall charge and collect
18 for each such license an annual fee to be fixed by the State Board
19 of Health. A license shall not be required of a nonprofit civic,
20 charitable or religious organization, using nonpaid persons to
21 prepare or serve food on its behalf, for occasional fund-raising
22 events sponsored and conducted by the organization. The
23 Commissioner shall provide guidelines for safeguarding the health of
24 customers of such events. The Board may by rule provide that a

1 license which is fee-exempt under rules adopted by the Board
2 pursuant to subsection D of Section 1-106.1 of this title shall not
3 expire but shall remain in full force and effect until affirmatively
4 revoked, suspended, annulled or withdrawn by the Commissioner in
5 accordance with applicable law.

6 The Board may by rule also provide that licenses for
7 establishments serving events of limited duration or operating on a
8 seasonal basis shall extend only for the term of the event or
9 season, and may by rule adjust the fees for such licenses
10 accordingly.

11 C. The State Board of Health shall promulgate reasonable
12 standards and rules for sanitation of establishments required to be
13 licensed, which shall include the following: buildings, vehicles,
14 and appurtenances thereto, including plumbing, ventilation and
15 lighting; construction, cleanliness and bactericidal treatment of
16 equipment and utensils; cleanliness, wholesomeness, storage and
17 refrigeration of food and drink sold or served; cleanliness and
18 hygiene of personnel; toilet facilities; disposal of waste; water
19 supply; and other items deemed necessary to safeguard the health,
20 comfort, and safety of customers.

21 D. Day care centers or family day care centers, and all other
22 child care facilities as defined and licensed pursuant to the
23 provisions of the Oklahoma Child Care Facilities Licensing Act shall
24 not be deemed to be food service establishments.

1 E. Nursing facilities and specialized facilities, as defined in
2 and licensed pursuant to the provisions of the Nursing Home Care Act
3 and residential care homes as defined by the Residential Care Act
4 shall not be deemed to be food service establishments."

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