ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 1357 By: Halligan of the Senate

and

Denney of the House

An Act relating to public health; amending 63 O.S. 2011, Section 1-106.3, which relates to the Oklahoma Food Service Advisory Council; increasing number of members on Advisory Council; expanding scope of certain recommendations; increasing number of members appointed by the State Commissioner of Health; adding representative from certain organization to the Advisory Council; and providing an effective date.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"An Act relating to public health; amending 63 O.S. 2011, Section 1-106.3, which relates to the Oklahoma Food Service Advisory Council; increasing number of members on Advisory Council; increasing number of members appointed by the State Commissioner of Health; adding representative from certain organization to the Advisory Council; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-106.3, is amended to read as follows:

Section 1-106.3 A. There is hereby created within the State Department of Health the Oklahoma Food Service Advisory Council. The purpose of the Advisory Council shall be to:

1. Advise the State Board of Health, the State Commissioner of Health, and the Department regarding food service establishments; and

2. Recommend actions to improve sanitation and consumer protection.

B. The Advisory Council shall have the duty and authority to:

1. Review and approve in an advisory capacity only rules and standards for food service establishments operating in this state;

2. Evaluate, review and make recommendations regarding Department inspection activities; and

3. Recommend and approve quality indicators and data submission requirements for food service establishments which shall be used by the Department to monitor compliance with licensure requirements and to publish an annual report of food service establishment performance.

C. The Oklahoma Food Service Advisory Council shall be composed of ~~thirteen (13)~~ fourteen (14) members as follows:

1. ~~Eight~~ Nine members shall be appointed by the Commissioner, with the advice and consent of the Board, from a list of three names for each position provided by an association representing the

majority of restaurant owners in this state. Such appointments shall be as follows:

a. one member shall represent the Oklahoma Restaurant Association,

b. one member shall represent the Oklahoma Hotel and Motel Association,

c. one member shall represent the Oklahoma Grocers Association,

d. one member shall represent food service education,

e. one member shall represent food processing education,

f. one member shall be an independent food service operator,

g. one member shall be a food processor, ~~and~~

h. one member shall represent the School Nutrition Association of Oklahoma, and

i. one member shall be a citizen representing the public and shall not be a food service establishment operator or employee and shall not be a member of a food service governing board; and

2. The remaining appointments shall consist of:

a. the Director of the Oklahoma City-County Health Department, or a designee,

b. the Director of the Tulsa City-County Health Department, or a designee,

c. two directors from other county health departments in this state or ~~a designee~~ designees, appointed by the Commissioner, and

d. the Director of the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry or a designee.

D. The appointments made by the Commissioner shall be for three-year terms, except that after the effective date of this act, the initial term of the representative of the public shall be for one (1) year, and the initial terms of the independent food service operator, the food processor, ~~and~~ the representatives of food service education, and food processing education shall be for two (2) years. The initial terms of all other members appointed by the Commissioner shall be for three (3) years. After initial appointments to the Advisory Council, the Commissioner shall appoint members to three-year terms.

E. The Advisory Council shall meet on a quarterly basis. Members of the Advisory Council shall serve without compensation but shall be reimbursed for travel expenses by the Department pursuant to the provisions of the State Travel Reimbursement Act.

SECTION 2. This act shall become effective November 1, 2016."

Passed the House of Representatives the 6th day of April, 2016.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2016.

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Presiding Officer of the Senate