



1       1. A produce stand that offers only whole, uncut and  
2 unprocessed fresh fruits, melons, vegetables and legumes and/or  
3 whole uncracked and unprocessed nuts;

4       2. A manufacturer, wholesaler or broker of food licensed  
5 pursuant to Section 1-1119 of this title;

6       3. A kitchen in a private home if only food that does not  
7 require time and temperature control for safety is prepared for sale  
8 or service at a function such as a nonprofit civic, charitable or  
9 religious organization's bake sale;

10       4. An area where food that is prepared as specified in  
11 paragraph 3 of this subsection is sold or offered for human  
12 consumption;

13       5. A private home that receives catered or home-delivered food;

14       6. A hotel licensed pursuant to Section 1-1201 of this title  
15 which provides limited food service in compliance with rules  
16 promulgated by the State Board of Health;

17       7. A kitchen in a private home or in a bed and breakfast that  
18 prepares and offers food to guests, if the home is owner-occupied,  
19 the number of available guest bedrooms does not exceed three, and  
20 breakfast is the only meal offered;

21       8. A nonprofit civic, charitable or religious organization  
22 using unpaid individuals to prepare or serve food on its behalf, for  
23 occasional fund-raising events sponsored and conducted by the  
24 organization. For the purposes of this paragraph, an "occasional

1 fund-raising event" shall be defined as an event that occurs four  
2 times a year or less;

3 9. Day care centers or family day care centers, and all other  
4 child care facilities as defined and licensed pursuant to the  
5 provisions of the Oklahoma Child Care Facilities Licensing Act;

6 10. Nursing facilities and specialized facilities, as defined  
7 in and licensed pursuant to the provisions of the Nursing Home Care  
8 Act, residential care homes as defined by the Residential Care Act,  
9 adult day care centers as defined by the Adult Day Care Act, and  
10 assisted living centers and continuum of care facilities licensed  
11 pursuant to the Continuum of Care and Assisted Living Act; and

12 11. Other establishments exempted from food establishment  
13 licensure pursuant to state law.

14 ~~B. Unless otherwise provided by rule by the State Board of~~  
15 ~~Health, each such Each license shall expire on the 30th day of June~~  
16 ~~one (1) year following the date of its issuance. The Commissioner~~  
17 ~~State Department of Health shall charge and collect for each such~~  
18 ~~license an annual fee to be fixed by the State Board of Health. A~~  
19 ~~license shall not be required of a nonprofit civic, charitable or~~  
20 ~~religious organization, using nonpaid persons to prepare or serve~~  
21 ~~food on its behalf, for occasional fund-raising events sponsored and~~  
22 ~~conducted by the organization. The Commissioner shall provide~~  
23 ~~guidelines for safeguarding the health of customers of such events.~~  
24 ~~The Board may by rule provide that a license which is fee-exempt~~

1 ~~under rules adopted by the Board pursuant to subsection D of Section~~  
2 ~~1-106.1 of this title~~

3 1. The Board may provide by rule for a fee-exempt license for a  
4 food establishment operated by a nonprofit, civic, charitable or  
5 religious organization that uses unpaid persons to sell or offer  
6 food on a more frequent basis than the occasional fund-raising  
7 event. A fee-exempt license shall not expire but shall remain in  
8 full force and effect until affirmatively revoked, suspended,  
9 annulled or withdrawn by the ~~Commissioner~~ Department in accordance  
10 with applicable law.

11 2. The Board may by rule also provide that licenses for  
12 establishments serving events of limited duration or operating on a  
13 seasonal basis shall extend only for the term of the event or  
14 season, and may by rule adjust the fees for such licenses  
15 accordingly.

16 C. The State Board of Health shall promulgate reasonable  
17 standards and rules for sanitation of establishments required to be  
18 licensed, which shall include the following: buildings, vehicles,  
19 and appurtenances thereto, including plumbing, ventilation and  
20 lighting; construction, cleanliness and bactericidal treatment of  
21 equipment and utensils; cleanliness, wholesomeness, storage and  
22 refrigeration of food and drink sold or served; cleanliness and  
23 hygiene of personnel; toilet facilities; disposal of waste; water  
24

1 supply; and other items deemed necessary to safeguard the health,  
2 comfort, and safety of customers.

3 ~~D. Day care centers or family day care centers, and all other~~  
4 ~~child care facilities as defined and licensed pursuant to the~~  
5 ~~provisions of the Oklahoma Child Care Facilities Licensing Act shall~~  
6 ~~not be deemed to be food service establishments.~~

7 ~~E. Nursing facilities and specialized facilities, as defined in~~  
8 ~~and licensed pursuant to the provisions of the Nursing Home Care Act~~  
9 ~~and residential care homes as defined by the Residential Care Act~~  
10 ~~shall not be deemed to be food service establishments.~~

11 SECTION 2. This act shall become effective November 1, 2015.

12 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
13 March 30, 2015 - DO PASS