

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB1032
Version:	FULLPCS1
Request Number:	7537
Author:	Rep. Mize
Date:	2/22/2021
Impact:	See Analysis Below

Research Analysis

The proposed committee substitute1 to HB 1032 renames the Homemade Bakery Act of 2013 to the Homemade Food Freedom Act. The measure modifies and adds the following terms to the act:

- Home food establishment
- Delivered
- Homemade food product
- Non-time- or temperature-controlled for safety
- Time- or temperature-controlled for safety
- Produce
- Producer

The measure updates the conditions for exemption from licensing and other requirements for the production and sale of homemade food products. The measure requires certain information for product labeling, displays, and webpages for consumer information.

State Department of Health investigations regarding foodborne illnesses will not be hindered by this act. The measure modifies the penalty amount for violations of the act. The measure updates rules regarding county ordinances. It prohibits the restriction of the sale of homemade food products that follow the law.

The measure updates and clarifies regulation of beekeepers.

Prepared By: Dan Brooks

Fiscal Analysis

According to the Oklahoma Department of Health, HB 1032 in its current form would eliminate license for homemade food products defined as either “Non-time or temperature-controlled for safety” or “Time or temperature-controlled for safety” under certain circumstances along with eliminating licenses for honey and honeycomb products when producers produce less than five hundred gallons annually. According to the Department of Health the loss of new licenses for both would be \$425 per licenses and the loss of renewal licenses for both would be \$335. If the Department of Health lost between 20 and 50 new licenses it would \$8,500 - \$21,500 loss in

revenue and if it lost between 200 and 500 renewal licenses it would be \$67,000 - \$167,500 loss in revenue. This means the annually, the Department of Health may lose \$75,000 - \$188,750 in revenue if HB 1032 passes in its current form.

Additionally, under the increase enforcement responsibility at the Department of Agriculture, Food and Forestry, it would require about 1/4 to 1/3 of a new position requiring additional funding of \$16,840.00 to \$22,453.17.

Therefore, depending on the full impact of HB 1032, the State's budget and appropriations could see a sizeable impact.

Prepared By: Mariah Searock

Other Considerations

None.