

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1032</b>
<b>Version:</b>	<b>Introduced</b>
<b>Request Number:</b>	<b>6105</b>
<b>Author:</b>	<b>Rep. Mize</b>
<b>Date:</b>	<b>2/22/2021</b>
<b>Impact:</b>	<b>See Analysis Below</b>

**Research Analysis**

HB 1032 changes the name of the Home Bakery Act of 2013 to the Homemade Food Freedom Act. This measure defines the following terms: Home food establishment; Homemade food product; Non-potentially hazardous; Potentially hazardous; Produce; and Producer.

This measure changes the criteria by which a home food establishment may sell prepared food, including the conditions for the production and sale of homemade food products. Homemade food products that meet these conditions are exempt of all licensing and other requirements of the State Department of Health and the Oklahoma Department of Agriculture, Food, and Forestry.

The measure lists the criteria for how non-potentially hazardous homemade food products and potentially hazardous homemade food products are sold and delivered.

The measure also requires a producer of potentially hazardous food products to complete training by authorized providers. The training will be available in-person or online not exceeding eight (8) hours and the fee will not exceed fifty (50) dollars. Producers are required to show documentation of training.

If product is sold across state lines, packaging and distribution will be in accordance with federal law. Homemade food products are prohibited from containing meat, meat byproducts or meat food products unless exempted by federal law.

This measure lists the conditions for required information and labeling. The bill does not interfere with any reported food borne illness investigations.

This measure modifies the violations code in Section 5-4.5. The measure also adds qualifications for beekeepers exempt from regulation and inspection. Requirements are added on how honey or honeycomb is sold.

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 “Nonpotentially hazardous” or “potentially hazardous” 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. This means the annually, the Department of Health may lose \$75,000 - \$188,750 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.