



2015-2016 General Assembly

# HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 3.8: Clarify That When A New Permit or Transitional Permit Is Issued, Any Previous Permit For That Same Establishment In That Location Becomes Void

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 3.8 of S.L. 2015-286

**Date:**  
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Legislative Analyst

**SUMMARY:** *Sec. 3.8 of S.L. 2015-286 amends the public health law on the regulation of food and lodging establishments. Existing law requires that when ownership of an establishment is transferred or the establishment is leased, the new owner or lessee must apply for a new permit and may apply for a transitional permit. The changes in this section provide that upon issuance of a new permit or a transitional permit for the same establishment, any previously issued permit for an establishment in that location becomes void. The section does not prohibit issuing more than one owner or lessee a permit for the same location if (i) more than one establishment is operated in the same physical location and (ii) each establishment satisfies all of the rules and requirements provided by law. A "transitional permit" is defined as a permit issued upon the transfer of ownership or lease of an existing food establishment to allow the correction of construction and equipment problems that do not represent an immediate threat to the public health.*

*This section became effective October 22, 2015.*

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Director



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