



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 29.1-29.3: Modify the Rules Related to the Inspection of Establishments that Prepare or Serve Food

Committee:		Date:	December 11, 2023
Introduced by:		Prepared by:	Kyle Evans Staff Attorney
Analysis of:	Sec. 29.1-29.3 of S.L. 2023-137		

OVERVIEW: Sections 29.1, 29.2, and 29.3 of S.L. 2023-137 direct the Commission for Public Health to implement certain food establishment rules regarding inspection and education, as provided in these sections.

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

PRIOR LAW & BILL ANALYSIS:

The Commission for Public Health (CPH) is charged with adopting rules regulating the inspection of establishments that prepare or serve food. Food establishments are routinely inspected and assigned a letter grade. Upon the request of a food establishment permittee, a reinspection must be made. Prior to this act's effective date, if the reinspection is requested for the purpose of raising the establishment's letter grade, the regulatory authority was required to make an unannounced inspection within 15 calendar days of the request. A food establishment designated Risk Category IV was required to be inspected at least once every three months.

Sections 29.1, 29.2, and 29.3 direct CPH to implement certain food establishment rules as follows, and readopt its rules consistent with this implementation:

- Reduce the period in which a reinspection to raise a letter grade can be made from 15 calendar days to 10 business days.
- Reduce the frequency of Risk Category IV food establishments inspections from four times a year to three times a year but require that local health departments make an educational visit to these establishments at least once a year to review any previous priority violations, public health risk factors, and the Hazard Analysis Critical Control Plan, if applicable.
- Make a conforming change regarding inspection frequency and the new educational visit requirement.

EFFECTIVE DATE: This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

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Legislative Analysis
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