

1 **MINIMUM ENFORCEMENT OF FOOD**

2 **SANITATION RULES**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Stephen D. Clark**

6 Senate Sponsor: John W. Hickman

7

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the general sanitation provisions of the Utah Health Code.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires the Department of Health to establish minimum standards for the
- 14 enforcement of food sanitation rules by local health departments; and
- 15 ▶ requires the Department of Health to provide technical assistance to local health
- 16 departments.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **26-15-8**, as enacted by Chapter 126, Laws of Utah 1981

24

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **26-15-8** is amended to read:

27 **26-15-8. Periodic evaluation of local health sanitation programs -- Minimum**



28 **statewide enforcement standards -- Technical assistance.**

29 (1) The department shall periodically evaluate the sanitation programs of local health
30 departments to determine the levels of sanitation being maintained throughout the state.

31 (2) (a) The department shall ensure that each local health department's enforcement of
32 the minimum rules of sanitation adopted under Section 26-15-2 for restaurants and other places
33 where food or drink is handled meets or exceeds minimum statewide enforcement standards
34 established by the department by administrative rule.

35 (b) Administrative rules adopted under Subsection (2)(a) shall include at least:

36 (i) the minimum number of periodic on-site inspections that must be conducted by each
37 local health department;

38 (ii) criteria for conducting additional inspections; and

39 (iii) standardized methods to be used by local health departments to assess compliance
40 with the minimum rules of sanitation adopted under Section 26-15-2.

41 (c) The department shall help local health departments comply with the minimum
42 statewide enforcement standards adopted under this Subsection (2) by providing technical
43 assistance.

Legislative Review Note
as of 1-17-06 8:04 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

An ongoing General Fund appropriation of \$102,500 starting in FY 2007 is necessary to implement provisions of this bill.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$102,500	\$102,500	\$0	\$0
TOTAL	\$102,500	\$102,500	\$0	\$0

Individual and Business Impact

There could be some cost to public and private entities that are not complying with health standards set by the Utah Department of Health.

Office of the Legislative Fiscal Analyst