

# HB0172S01 compared with HB0172

~~{Omitted text}~~ shows text that was in HB0172 but was omitted in HB0172S01

inserted text shows text that was not in HB0172 but was inserted into HB0172S01

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## Food Safety ~~{Manager Certification}~~ Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Verona Mauga

Senate Sponsor: Todd Weiler

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### LONG TITLE

#### General Description:

This bill ~~{extends the period for}~~ amends provisions related to food safety ~~{manager certification renewal}~~ .

#### Highlighted Provisions:

This bill:

- ▶ amends provisions related to exemptions from food service establishment requirements;
- ▶ extends the period for food safety manager certification renewal from three years to five years{.}

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- ▶ defines terms; and
- ▶ makes technical and conforming changes.

#### Money Appropriated in this Bill:

None

#### Other Special Clauses:

None

#### Utah Code Sections Affected:

HB0172

# HB0172 compared with HB0172S01

AMENDS:

**26B-7-411 , as renumbered and amended by Laws of Utah 2023, Chapter 308**

**26B-7-412 , as renumbered and amended by Laws of Utah 2023, Chapter 308**

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

Section 1. Section 26B-7-411 is amended to read:

**26B-7-411. Exemptions to food service establishment requirements.**

- (1) The following are not subject to the provisions of Section 26B-7-410:
- (a) special events sponsored by municipal or nonprofit civic organizations, including food booths at school sporting events and little league athletic events and church functions;
  - (b) temporary event food services approved by a local health department;
  - (c) vendors and other food service establishments that serve only commercially prepackaged foods and beverages as defined by the department by rule;
  - (d) private homes not used as a commercial food service establishment;
  - (e) health care facilities licensed under Chapter 2, Part 2, Health Care Facility Licensing and Inspection;
  - (f) bed and breakfast establishments at which the only meal served is a continental breakfast as defined by the department by rule;
  - (g) residential child care providers;
  - (h) child care providers and programs licensed under Chapter 2, Part 4, Child Care Licensing;
  - (i) back country food service establishments;
  - (j) an event that is sponsored by a charitable organization, if, at the event, the organization:
    - (i) provides food to a disadvantaged group free of charge; and
    - (ii) complies with rules established by the department under Subsection [(3)] (4); ~~and~~
  - (k) a fundraising event hosted or sponsored by a nonprofit organization, as that term is defined in Section 16-6a-102, if:
    - (i) a food service establishment donates the food for the fund raising event; and
    - (ii) a certified food safety manager of the food service establishment remains on the site of the fundraising event; and
- ~~[(k)]~~ (l) a lowest risk or permitted food establishment category determined by a risk assessment evaluation established by the department by administrative rule adopted in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

## HB0172 compared with HB0172S01

- 53     ~~(2)~~ If a food service establishment donates food to a nonprofit organization as described in Subsection  
    (1)(k), the department may not require the food service establishment to obtain additional training,  
    pay additional fees, or submit to additional testing for the purpose of donating, delivering, or serving  
    food at the fundraising event.
- 57     ~~[(2)]~~ (3) Nothing in this section may be construed as exempting a food service establishment described  
    in Subsection (1) or (2) from any other applicable food safety laws of this state.
- 60     ~~[(3)]~~ (4) The department may establish additional requirements, in accordance with Title 63G, Chapter  
    3, Utah Administrative Rulemaking Act, for charitable organizations providing food for free under  
    Subsection (1)(j).
- 63         Section 2. Section **26B-7-412** is amended to read:  
64         **26B-7-412. Certified food safety manager.**
- 21     (1) Before a person may manage a food service establishment as a certified food safety manager, that  
    person shall submit documentation in the format prescribed by the department to the appropriate  
    local health department indicating a passing score on a department-approved examination.
- 25     (2) To continue to manage a food service establishment, a certified food safety manager shall:
- 27     (a) successfully complete, every ~~[three]~~ five years, renewal requirements established by department rule  
    which are consistent with original certification requirements; and
- 29     (b) submit documentation in the format prescribed by the department within 30 days of the completion  
    of renewal requirements to the appropriate local health department.
- 31     (3) A local health department may deny, revoke, or suspend the authority of a certified food safety  
    manager to manage a food service establishment or require the completion of additional food safety  
    training courses for any one of the following reasons:
- 34     (a) submitting information required under Subsection (1) or (2) that is false, incomplete, or misleading;
- 36     (b) repeated violations of department or local health department food safety rules; or
- 37     (c) operating a food service establishment in a way that causes or creates a health hazard or otherwise  
    threatens the public health, safety, or welfare.
- 39     (4) A determination of a local health department made pursuant to Subsection (3) may be appealed by a  
    certified food safety manager in the same manner provided for in Subsection 26B-7-410(4).
- 42     (5) No person may use the title "certified food safety manager," or any other similar title, unless the  
    person has satisfied the requirements of this section.
- 44     (6) A local health department:

## HB0172 compared with HB0172S01

- 45 (a) may not charge a fee to accept or process the documentation described in Subsections (1) and (2);  
47 (b) shall accept photocopies or electronic copies of the documentation described in Subsections (1) and  
(2); and  
49 (c) shall allow an individual to submit the documentation described in Subsections (1) and (2) by mail,  
email, or in person.
- 51 (7) Certified food safety managers shall:
- 52 (a) establish and monitor compliance with practices and procedures in the food service establishments  
where they are employed to maintain compliance with department and local health department food  
safety rules; and  
55 (b) perform such other duties that may be necessary to ensure food safety in the food service  
establishments where they are employed.
- 57 (8)
- (a) The department shall establish by rule made in accordance with Title 63G, Chapter 3, Utah  
Administrative Rulemaking Act:
- 59 (i) statewide, uniform standards for certified food safety managers;  
60 (ii) criteria for food safety certification examinations; and  
61 (iii) any provisions necessary to implement this section.
- 62 (b) The department shall approve food safety certification examinations in accordance with this section.
- 64 (c) The local health department with jurisdiction over the geographic area in which a food service  
establishment is located shall enforce the provisions of this section.

110 Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

1-30-26 9:06 AM