

HB0379S01 compared with HB0379S02

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **26B-7-417**, Utah Code Annotated 1953

22

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

24 Section 1. Section 1 is enacted to read:

25 **26B-7-417. Special requirements for child care food preparation kitchens.**

26 (1) As used in this section:

27 (a) "Center based child care" means the same as that term is defined in Section 26B-2-401.

29 (b) "Child care food preparation kitchen" means the kitchen in the center based child care facility of a licensed provider:

31 (i) where food is prepared only for qualifying children in the care of the licensed provider and the licensed provider's employees; and

33 (ii) that is not open to the public.

34 (c) "Child care provider association" means an association:

35 (i) that has functioned as a child care provider association in the state for at least three years; and

37 (ii) that is affiliated with a national child care provider association.

38 (d) "Exempt kitchen" means a child care food preparation kitchen that meets the requirements for exemption established by the department as described in Subsection (2).

41 (e) "Food handler" means the same as that term is defined in Section 26B-7-413.

42 (f) "Food handler permit" means the same as that term is defined in Section 26B-7-413.

43 (g) "Licensed provider" means a person who holds a license from the department under Section 26B-2-403.

45 ~~{(h) {"Potentially hazardous food" means:}}~~

46 ~~{(i) {raw meat;}}~~

47 ~~{(ii) {raw fish; or}}~~

48 ~~{(iii) {raw poultry.}}~~

49 (i){(h)} "Qualifying child" means the same as that term is defined in Section 26B-2-401.

50 (2)

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(a) In collaboration with representatives of each child care provider association in the state, the department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

53 (i) exemptions from this part and rules the department makes in accordance with this part, for a
child care food preparation kitchen; and

55 (ii) for an exempt kitchen, rules to establish sanitation and food safety requirements.

56 (b) The exemptions described in Subsection (2)(a)(i):

57 (i) shall be based on:

58 (A) volume of food prepared;

59 (B) type of food prepared;

60 (C) type of food preparation; and

61 (D) food storage; and

62 (ii) may not be based on the number of qualifying children for whom food is prepared in the child care
food preparation kitchen.

64 (3) Rules the department makes in accordance with this section may not require, in a child care food
preparation kitchen:

66 (a) that is an exempt kitchen, the use of:

67 (i) a commercial grade:

68 (A) dishwasher;

69 (B) oven, range, or hood;

70 (C) freezer; or

71 (D) refrigerator; or

72 (ii) a floor sink, if dishes are not stored in other sinks in the exempt kitchen;

73 (b) a certified food safety manager if every food handler has a food handler permit;

74 (c) a three {sinks} ~~compartment sink~~, if the child care food preparation kitchen:

75 (i) does not prepare {potentially hazardous food} ~~raw meat, raw fish, or raw poultry~~; and

76 (ii) has a two {sinks and at least one sink} ~~compartment sink that~~ is sanitized regularly; or

77 (d) a separate handwashing sink.

74 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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