

Verona Mauga proposes the following substitute bill:

1 **Food Safety Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Verona Mauga**

Senate Sponsor: Todd Weiler

---

---

2 **LONG TITLE**

3 **General Description:**

4 This bill amends provisions related to food safety.

5 **Highlighted Provisions:**

6 This bill:

7 

- 8 ▶ amends provisions related to exemptions from food service establishment requirements;
- 9 ▶ extends the period for food safety manager certification renewal from three years to five
- 10 years;
- 11 ▶ defines terms; and
- 12 ▶ makes technical and conforming changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 **AMENDS:**

19 **26B-7-411**, as renumbered and amended by Laws of Utah 2023, Chapter 308

20 **26B-7-412**, as renumbered and amended by Laws of Utah 2023, Chapter 308

---

---

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

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

24 **26B-7-411 . Exemptions to food service establishment requirements.**

25 (1) The following are not subject to the provisions of Section 26B-7-410:

26 (a) special events sponsored by municipal or nonprofit civic organizations, including  
27 food booths at school sporting events and little league athletic events and church  
28 functions;

29 (b) temporary event food services approved by a local health department;

30 (c) vendors and other food service establishments that serve only commercially

31 prepackaged foods and beverages as defined by the department by rule;

32 (d) private homes not used as a commercial food service establishment;

33 (e) health care facilities licensed under Chapter 2, Part 2, Health Care Facility Licensing

34 and Inspection;

35 (f) bed and breakfast establishments at which the only meal served is a continental

36 breakfast as defined by the department by rule;

37 (g) residential child care providers;

38 (h) child care providers and programs licensed under Chapter 2, Part 4, Child Care

39 Licensing;

40 (i) back country food service establishments;

41 (j) an event that is sponsored by a charitable organization, if, at the event, the

42 organization:

43 (i) provides food to a disadvantaged group free of charge; and

44 (ii) complies with rules established by the department under Subsection [({3})] (4); [and]

45 (k) a fundraising event hosted or sponsored by a nonprofit organization, as that term is

46 defined in Section 16-6a-102, if:

47 (i) a food service establishment donates the food for the fund raising event; and

48 (ii) a certified food safety manager of the food service establishment remains on the

49 site of the fundraising event; and

50 [({k})] (1) a lowest risk or permitted food establishment category determined by a risk

51 assessment evaluation established by the department by administrative rule adopted

52 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

53 (2) If a food service establishment donates food to a nonprofit organization as described in

54 Subsection (1)(k), the department may not require the food service establishment to

55 obtain additional training, pay additional fees, or submit to additional testing for the

56 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

58 described in Subsection (1) or (2) from any other applicable food safety laws of this

59 state.

60 [({3})] (4) The department may establish additional requirements, in accordance with Title

61 63G, Chapter 3, Utah Administrative Rulemaking Act, for charitable organizations

62 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.**

65       (1) Before a person may manage a food service establishment as a certified food safety  
66       manager, that person shall submit documentation in the format prescribed by the  
67       department to the appropriate local health department indicating a passing score on a  
68       department-approved examination.

69       (2) To continue to manage a food service establishment, a certified food safety manager  
70       shall:

71           (a) successfully complete, every [three] five years, renewal requirements established by  
72           department rule which are consistent with original certification requirements; and

73           (b) submit documentation in the format prescribed by the department within 30 days of  
74           the completion of renewal requirements to the appropriate local health department.

75       (3) A local health department may deny, revoke, or suspend the authority of a certified food  
76       safety manager to manage a food service establishment or require the completion of  
77       additional food safety training courses for any one of the following reasons:

78           (a) submitting information required under Subsection (1) or (2) that is false, incomplete,  
79           or misleading;

80           (b) repeated violations of department or local health department food safety rules; or

81           (c) operating a food service establishment in a way that causes or creates a health hazard  
82           or otherwise threatens the public health, safety, or welfare.

83       (4) A determination of a local health department made pursuant to Subsection (3) may be  
84       appealed by a certified food safety manager in the same manner provided for in  
85       Subsection 26B-7-410(4).

86       (5) No person may use the title "certified food safety manager," or any other similar title,  
87       unless the person has satisfied the requirements of this section.

88       (6) A local health department:

89           (a) may not charge a fee to accept or process the documentation described in  
90           Subsections (1) and (2);

91           (b) shall accept photocopies or electronic copies of the documentation described in  
92           Subsections (1) and (2); and

93           (c) shall allow an individual to submit the documentation described in Subsections (1)  
94           and (2) by mail, email, or in person.

95       (7) Certified food safety managers shall:

96           (a) establish and monitor compliance with practices and procedures in the food service

97                   establishments where they are employed to maintain compliance with department and  
98                   local health department food safety rules; and  
99                   (b) perform such other duties that may be necessary to ensure food safety in the food  
100                   service establishments where they are employed.

101                   (8)(a) The department shall establish by rule made in accordance with Title 63G,  
102                   Chapter 3, Utah Administrative Rulemaking Act:

- 103                   (i) statewide, uniform standards for certified food safety managers;
- 104                   (ii) criteria for food safety certification examinations; and
- 105                   (iii) any provisions necessary to implement this section.

106                   (b) The department shall approve food safety certification examinations in accordance  
107                   with this section.

108                   (c) The local health department with jurisdiction over the geographic area in which a  
109                   food service establishment is located shall enforce the provisions of this section.

110                   **Section 3. Effective Date.**

111                   This bill takes effect on May 6, 2026.