

Chapter 728

S.B. No. 1089

1 AN ACT

2 relating to the certification of food service workers.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Sections 438.046(b), (b-1), and (c), Health and
5 Safety Code, are amended to read as follows:6 (b) ~~[A local health jurisdiction that requires training for
7 a food service worker shall accept as sufficient to meet the
8 jurisdiction's training and testing requirements a training course
9 that is accredited by the department and listed with the registry.]~~10 A food service worker trained in a course for the employees of a
11 single entity is considered to have met a local health
12 jurisdiction's training, ~~[and]~~ testing, and permitting
13 requirements only as to food service performed for that entity.14 (b-1) A food service worker trained in a food handler
15 training course that is accredited by the American National
16 Standards Institute or that is accredited by the department and
17 listed with the registry is considered to have met a local health
18 jurisdiction's training, testing, and permitting requirements. A
19 local health jurisdiction may require a food establishment, as that
20 term is defined by Section 438.101, to maintain on the premises of
21 the food establishment a certificate of completion of the training
22 course for employees of the food establishment.23 (c) A local health jurisdiction may not charge a fee or
24 require or issue a local food handler card for a certificate issued

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1 to a food service worker who provides proof of completion of an
2 accredited course described by Subsection (b-1) [Any fee charged by
3 a local health jurisdiction for a certificate issued to a food
4 service worker trained by an accredited course listed in the
5 registry may not exceed the lesser of:

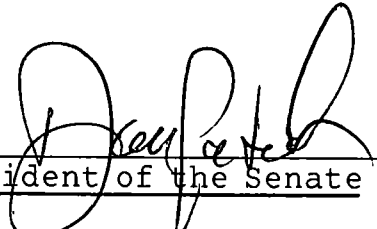
6 ~~[(1) the reasonable cost incurred by the jurisdiction~~
7 ~~in issuing the certificate, or~~

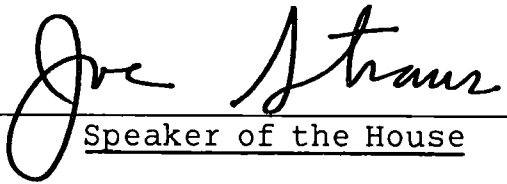
8 ~~[(2) the fee charged by the jurisdiction to issue a~~
9 ~~certificate to a food service worker certified by the jurisdiction~~
10 ~~as having met the training and testing requirements by any other~~
11 ~~means].~~

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.

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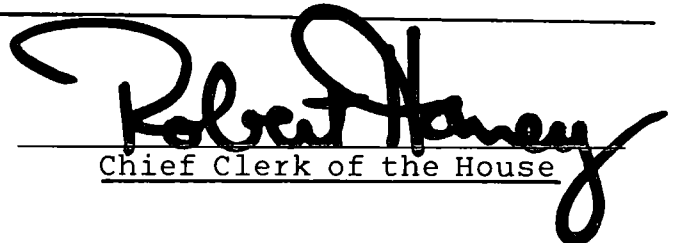

President of the Senate


Speaker of the House

I hereby certify that S.B. No. 1089 passed the Senate on April 19, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 25, 2017, by the following vote: Yeas 31, Nays 0. _____


Secretary of the Senate

I hereby certify that S.B. No. 1089 passed the House, with amendment, on May 19, 2017, by the following vote: Yeas 144, Nays 0, two present not voting. _____



Chief Clerk of the House

Approved:

6-9-2017
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017

Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 15, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1089 by Perry (Relating to the certification of food service workers.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require that a local health jurisdiction accept the completion of a food handler training course that is accredited by the Department of State Health Services (DSHS) and listed with the registry to satisfy a local health jurisdictions training, testing, and permitting requirements. The bill would remove the ability for a local health jurisdiction to charge a fee for a certificate issued to a food service worker who provides proof of completion of an accredited course.

According to the Department of State Health Services (DSHS), any costs associated with implementing the bill could be absorbed with existing resources.

The bill would take effect immediately if it receives two-thirds vote in each house; otherwise, it would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, CL, BM, SZ, GG, LR, KCA, JGA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 10, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1089 by Perry (Relating to the certification of food service workers.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, CL, BM, SZ, GG, LR, KCA, JGA

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 24, 2017

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1089 by Perry (Relating to the certification of food service workers.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require that a local health jurisdiction accept the completion of a food handler training course that is accredited by the Department of State Health Services (DSHS) and listed with the registry to satisfy a local health jurisdictions training, testing, and permitting requirements. The bill would remove the ability for a local health jurisdiction to charge a fee for a certificate issued to a food service worker who provides proof of completion of an accredited course.

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