

BILL ANALYSIS

Senate Research Center

S.B. 1089
By: Perry
Agriculture, Water & Rural Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prior to the 2015 legislative session, local health jurisdictions had to accept training courses accredited by the Department of State Health Services as sufficient to meet the jurisdiction's training and testing requirements.

In 2015, the 84th Legislature passed S.B. 582, stating that a food service worker trained in a food handler training course accredited by the American National Standards Institute (ANSI) is also considered to have met a local health jurisdiction's training and, testing requirements. ANSI courses were also considered to satisfy permitting requirements by local jurisdictions. S.B. 582 also allowed the local health jurisdiction to require food establishments to maintain on the premises a certificate of completion of the training course for employees of the establishment.

S.B. 1089 treats both ANSI-approved and state-approved training courses in the same manner, and prohibits local health jurisdictions from charging the food service worker a fee when the person has already passed the approved course. (Original Author's / Sponsor's Statement of Intent)

S.B. 1089 amends current law relating to the certification of food service workers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 438.046(b), (b-1), and (c), Health and Safety Code, as follows:

(b) Provides that a certain food service worker is considered to have met a local health jurisdiction's training, testing, and permitting requirements only as to food service performed for that entity. Deletes existing text requiring a local health jurisdiction that requires training for a food service worker to accept as sufficient to meet the jurisdiction's training, testing, and permitting requirements a training course that is accredited by the Department of State Health Services (DSHS) and listed with the registry of accredited food service programs (registry).

(b-1) Provides that a food service worker trained in a food handler training course that is accredited by the American National Standards Institute (ANSI) or that is accredited by DSHS and listed with the registry, rather than a food service worker trained in a food handler training course accredited by ANSI, is considered to have met a local health jurisdiction's training, testing, and permitting requirements.

(c) Prohibits a local health jurisdiction from charging a fee or requiring or issuing a local food handler card for a certificate issued to a food service worker who provides proof of completion of an accredited course described by Subsection (b-1). Deletes existing text prohibiting any fee charged by a local health jurisdiction for a certificate issued to a food service worker trained by an accredited course listed in the registry from exceeding the lesser of certain amounts.

SECTION 2. Effective date: upon passage or September 1, 2017.