

FIRST REGULAR SESSION

SENATE BILL NO. 432

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 27, 2013, and ordered printed.

1722S.01I

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 196, RSMo, is amended by adding thereto one new section, to be known as section 196.056, to read as follows:

196.056. 1. A nonprofit organization may prepare food, in a private home or other area, for distribution to the end consumer at a fundraising event for a charitable purpose. The consumer shall be informed by a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

2. The nonprofit organization shall notify the regulatory authority in writing at least fourteen calendar days prior to the beginning of the event. Notification shall include the following: name of the nonprofit organization; date, time, and location of the event; name and contact information of the person responsible for the event; and foods prepared.

3. This section does not apply to a food establishment providing food for the event.

4. The department shall have the authority to promulgate regulations excluding foods and practices that are associated with an elevated risk of foodborne illness and to limit the frequency and duration of these events.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of

22 the provisions of chapter 536, and, if applicable, section 536.028. This
23 section and chapter 536 are nonseverable and if any of the powers
24 vested with the general assembly pursuant to chapter 536, to review, to
25 delay the effective date, or to disapprove and annul a rule are
26 subsequently held unconstitutional, then the grant of rulemaking
27 authority and any rule proposed or adopted after August 28, 2013, shall
28 be invalid and void.

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