

AN ACT

relating to the certification of food service workers.

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

SECTION 1. Sections 438.046(b), (b-1), and (c), Health and Safety Code, are amended to read as follows:

~~(b) [A local health jurisdiction that requires training for a food service worker shall accept as sufficient to meet the jurisdiction's training and testing requirements a training course that is accredited by the department and listed with the registry.]~~

A food service worker trained in a course for the employees of a single entity is considered to have met a local health jurisdiction's training, ~~and~~ testing, and permitting requirements only as to food service performed for that entity.

(b-1) A food service worker trained in a food handler training course that is accredited by the American National Standards Institute or that is accredited by the department and listed with the registry is considered to have met a local health jurisdiction's training, testing, and permitting requirements. A local health jurisdiction may require a food establishment, as that term is defined by Section 438.101, to maintain on the premises of the food establishment a certificate of completion of the training course for employees of the food establishment.

(c) A local health jurisdiction may not charge a fee or require or issue a local food handler card for a certificate issued

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.

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:

Date

Governor