# HOUSE BILL No. 1065

DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-42-5.2-3.5.

**Synopsis:** Food handler exemption. Provides that certain nonprofit organizations that offer food for sale at an event held for the benefit of the organization are not required to use certified food handlers.

**Effective:** January 1, 2005 (retroactive).

**Cherry**

January 6, 2005, read first time and referred to Committee on Public Health.

C o p y

Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

C o p y

# HOUSE BILL No. 1065

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 16-42-5.2-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]: **Sec. 3.5. (a) An organization that is exempt from the state gross retail tax under IC 6-2.5-5-21(b)(1)(B), IC 6-2.5-5-21(b)(1)(C), or IC 6-2.5-5-21(b)(1)(D) and that offers food for sale to the final consumer at an event held for the benefit of the organization is exempt from complying with the requirements of this chapter that may be imposed on the organization for that event if the following conditions are met:**

**(1) Members of the organization prepare the food that will be sold.**

**(2) Events conducted by the organization under this section take place for not more than thirty (30) days in a calendar year.**

**(3) The name of each member who has prepared a food item is attached to the container in which the food item has been**

**placed.**

**(b) This section does not prohibit an exempted organization from waiving the exemption and using a certified food handler.**

SECTION 2. **An emergency is declared for this act.**

C o p y