
HOUSE BILL No. 1585

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-137; IC 16-42-5-4.

Synopsis: Food handling regulations. Provides exceptions to the definition of "food establishment" for purposes of the law establishing sanitary requirements for food establishments. Repeals language relating to exemptions from the compliance of food handling regulations.

Effective: July 1, 2007.

Burton, Welch

January 23, 2007, read first time and referred to Committee on Public Health.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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HOUSE BILL No. 1585



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

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

- 1 SECTION 1. IC 16-18-2-137 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 137. (a) "Food
- 3 establishment", for purposes of IC 16-42-5 and IC 16-42-5.2, means
- 4 any building, room, basement, vehicle of transportation, cellar, or open
- 5 or enclosed area occupied or used for handling food.
- 6 (b) **The term does not include the following:**
- 7 (1) **A dwelling where food is prepared on the premises by the**
- 8 **occupants, free of charge, for their consumption or for**
- 9 **consumption by their guests.**
- 10 (2) **A gathering of individuals at a house of worship who**
- 11 **separately or jointly provide or prepare, free of charge, and**
- 12 **consume their own food or that of others attending the**
- 13 **gathering if the gathering is for a religious purpose, such as**
- 14 **the following:**
- 15 (A) **A funeral.**
- 16 (B) **A wedding reception.**
- 17 (C) **A christening.**



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- (D) A bar or bat mitzvah.
 - (E) A baptism.
 - (F) A communion.
 - (G) Another religious event or celebration.
 - (3) A vehicle used to transport food solely for distribution to the needy, either free of charge or for a nominal donation.
 - (4) A private gathering of individuals who separately or jointly provide or prepare and consume their own food or that of others attending the gathering, regardless of whether the gathering is held on public or private property.
 - (5) A venue of the sale of food prepared by the members of an organization:
 - (A) that is organized for:
 - (i) religious purposes; or
 - (ii) educational purposes in a nonpublic educational setting;
 - (B) 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
 - (C) that offers the food for sale to the final consumer at an event held for the benefit of the organization; unless the food is being provided in a restaurant or a cafeteria with an extensive menu of prepared foods.
- SECTION 2. IC 16-42-5-4 IS REPEALED [EFFECTIVE JULY 1, 2007].

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