

BILL ANALYSIS

Senate Research Center
85R9925

S.B. 1158
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Agriculture, Water & Rural Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The term “certified” needs to be added to Section 437.0075, Health and Safety Code, to require a “certified or trained food manager” to be on duty at all times during the operating hours at a food establishment to update the statute with the latest industry terminology and standards.

The Certified Food Manager (CFM) program at the Texas Department of State Health Services provides accreditation to food manager training courses as well as licensing test sites that provide the food manager's examination to those who have sufficient background in the food industry and wish to take the exam with minimal or no training. Examinations offered through training programs and test sites are accredited through the American National Standards Institute — Conference for Food Protection (ANSI-CFP). CFM certificates issued through these providers receive national reciprocity. The CFM program also licenses online exam providers. CFM Certificates issued through these providers receive state-wide reciprocity.

The reason for the need to retain "trained" is to not cause confusion or conflict with the City of Houston (COH). Harris County and the COH have worked to make sure that language submitted will take care of both jurisdictions.

This will not change how inspections are currently done in non-incorporated areas of Harris County or in the City of Houston. Harris County Commissioners Court requires a certified food manager to be on-duty when a permit is issued.

The population change is made to reflect the growth that has occurred in Harris County.

As proposed, S.B. 1158 amends current law relating to certified food managers in food establishments in certain counties.

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 Section 437.0075, Health and Safety Code, as follows:

Sec. 437.0075. New heading: CERTIFIED FOOD MANAGERS IN CERTAIN POPULOUS COUNTIES. (a) Authorizes a county with a population of at least 4 million, rather than 2.8 million, to require a certified food manager, rather than trained food manager, to be on duty during the operating hours of a food establishment.

(b) and (c) Makes no changes to these subsections.

SECTION 2. Effective date: September 1, 2017.