

By: Bohac

H.B. No. 1802

A BILL TO BE ENTITLED

AN ACT

1
2 relating to issuing medallions for mobile food units in certain
3 municipalities.

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

5 SECTION 1. Chapter 437, Health and Safety Code, is amended
6 by adding Section 437.0073 to read as follows:

7 Sec. 437.0073. MEDALLION FOR MOBILE FOOD UNITS IN CERTAIN
8 POPULOUS MUNICIPALITIES. (a) This section applies only to a
9 municipality with a population of 1.5 million or more.

10 (b) Any person desiring to operate one or more mobile food
11 units in a municipality subject to this section other than
12 restricted operations mobile food units shall obtain an individual
13 medallion for each operating mobile food unit from the health
14 officer of the municipality. Each medallion will be issued
15 unit-by-unit only after an inspection reveals satisfactory
16 compliance with the provisions of this chapter and applicable
17 municipal regulations or ordinances relating to mobile food units.
18 The medallions shall remain the property of the department.

19 (c) A person may not operate or cause to be operated any
20 mobile food unit that does not possess a valid medallion issued by
21 the health officer.

22 (d) A medallion shall be affixed by the health officer or
23 the health officer's authorized agents on the mobile food unit in a
24 conspicuous place where it can be viewed by patrons.

1 (e) Application for a medallion shall be made on forms
2 provided by the health officer. The application must include:

3 (1) the applicant's full name and post office address;

4 (2) the address of the location at which the mobile
5 food unit is stationed when not in use;

6 (3) the business name and address of the commissary or
7 other fixed food service establishment from which potentially
8 hazardous food supplies are obtained;

9 (4) the address of the servicing area;

10 (5) a description of the mobile food unit that
11 includes the manufacturer's make, model, and serial number;

12 (6) the vehicle's state registration number; and

13 (7) the signature of the applicant.

14 (f) All of the provisions of this chapter and applicable
15 municipal regulations or ordinances pertaining to food service
16 establishments apply to the commissary or other fixed food service
17 establishment from which the food supplies are obtained. Any
18 suspension or revocation of the food dealer's permit for a food
19 service establishment is cause for suspension or revocation of the
20 medallion of any mobile food unit that is supplied or serviced by
21 the establishment.

22 SECTION 2. Notwithstanding Section 437.0073, Health and
23 Safety Code, as added by this Act, a person is not required to
24 obtain a medallion for a mobile food unit under that section before
25 October 1, 2009.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.