

1-1 By: Perry S.B. No. 1089  
1-2 (In the Senate - Filed February 24, 2017; March 7, 2017,  
1-3 read first time and referred to Committee on Agriculture, Water &  
1-4 Rural Affairs; March 29, 2017, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; March 29, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the certification of food service workers.  
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-19 SECTION 1. Sections [438.046](#)(b), (b-1), and (c), Health and  
1-20 Safety Code, are amended to read as follows:  
1-21 (b) ~~[A local health jurisdiction that requires training for~~  
1-22 ~~a food service worker shall accept as sufficient to meet the~~  
1-23 ~~jurisdiction's training and testing requirements a training course~~  
1-24 ~~that is accredited by the department and listed with the registry.]~~  
1-25 A food service worker trained in a course for the employees of a  
1-26 single entity is considered to have met a local health  
1-27 jurisdiction's training and testing requirements only as to food  
1-28 service performed for that entity.  
1-29 (b-1) A food service worker trained in a food handler  
1-30 training course that is accredited by the American National  
1-31 Standards Institute or that is accredited by the department and  
1-32 listed with the registry is considered to have met a local health  
1-33 jurisdiction's training, testing, and permitting requirements. A  
1-34 local health jurisdiction may require a food establishment, as that  
1-35 term is defined by Section [438.101](#), to maintain on the premises of  
1-36 the food establishment a certificate of completion of the training  
1-37 course for employees of the food establishment.  
1-38 (c) A local health jurisdiction may not charge a fee for a  
1-39 certificate issued to a food service worker who provides proof of  
1-40 completion of an accredited course described by Subsection (b-1).  
1-41 ~~[Any fee charged by a local health jurisdiction for a certificate~~  
1-42 ~~issued to a food service worker trained by an accredited course~~  
1-43 ~~listed in the registry may not exceed the lesser of:~~  
1-44 ~~[(1) the reasonable cost incurred by the jurisdiction~~  
1-45 ~~in issuing the certificate, or~~  
1-46 ~~[(2) the fee charged by the jurisdiction to issue a~~  
1-47 ~~certificate to a food service worker certified by the jurisdiction~~  
1-48 ~~as having met the training and testing requirements by any other~~  
1-49 ~~means.]~~  
1-50 SECTION 2. This Act takes effect immediately if it receives  
1-51 a vote of two-thirds of all the members elected to each house, as  
1-52 provided by Section [39](#), Article III, Texas Constitution. If this  
1-53 Act does not receive the vote necessary for immediate effect, this  
1-54 Act takes effect September 1, 2017.

1-55 \* \* \* \* \*