



Sen. Dave Syverson

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LRB100 07684 MJP 25603 a

1 AMENDMENT TO SENATE BILL 1207

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1207 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Food Handling Regulation Enforcement Act is  
5 amended by changing Section 3.06 as follows:

6 (410 ILCS 625/3.06)

7 Sec. 3.06. Food handler training; restaurants.

8 (a) For the purpose of this Section, "restaurant" means any  
9 business that is primarily engaged in the sale of ready-to-eat  
10 food for immediate consumption. "Primarily engaged" means  
11 having sales of ready-to-eat food for immediate consumption  
12 comprising at least 51% of the total sales, excluding the sale  
13 of liquor.

14 (b) Unless otherwise provided, all food handlers employed  
15 by a restaurant, other than someone holding a food service  
16 sanitation manager certificate, must receive or obtain

1 American National Standards Institute-accredited training in  
2 basic safe food handling principles within 30 days after  
3 employment and every 3 years thereafter. Notwithstanding the  
4 provisions of Section 3.05 of this Act, food handlers employed  
5 in nursing homes, licensed day care homes and facilities,  
6 hospitals, schools, and long-term care facilities must renew  
7 their training every 3 years. There is no limit to how many  
8 times an employee may take the training. The training indicated  
9 in subsections (e) and (f) of this Section is transferable  
10 between employers, but not individuals. The training indicated  
11 in subsections (c) and (d) of this Section is not transferable  
12 between individuals or employers. Proof that a food handler has  
13 been trained must be available upon reasonable request by a  
14 State or local health department inspector and may be provided  
15 electronically.

16 (c) If a business with an internal training program is  
17 approved in another state ~~prior to the effective date of this~~  
18 ~~amendatory Act of the 98th General Assembly~~, then the  
19 business's training program and assessment shall be  
20 automatically approved by the Department upon the business  
21 providing proof that the program is approved in said state.

22 (d) The Department shall approve the training program of  
23 any ~~multi-state~~ business with a plan that follows the  
24 guidelines in subsection (b) of Section 3.05 of this Act and is  
25 on file with the Department ~~by March 31, 2015~~.

26 (e) If an entity uses an American National Standards

1 Institute food handler training accredited program, that  
2 training program shall be automatically approved by the  
3 Department.

4 (f) Certified local health departments in counties serving  
5 jurisdictions with a population of 100,000 or less, as reported  
6 by the U.S. Census Bureau in the 2010 Census of Population, may  
7 have a training program. The training program must meet the  
8 requirements of Section 3.05(b) and be approved by the  
9 Department. This Section notwithstanding, certified local  
10 health departments in the following counties may have a  
11 training program:

12 (1) a county with a population of 677,560 as reported  
13 by the U.S. Census Bureau in the 2010 Census of Population;

14 (2) a county with a population of 308,760 as reported  
15 by the U.S. Census Bureau in the 2010 Census of Population;

16 (3) a county with a population of 515,269 as reported  
17 by the U.S. Census Bureau in the 2010 Census of Population;

18 (4) a county with a population of 114,736 as reported  
19 by the U.S. Census Bureau in the 2010 Census of Population;

20 (5) a county with a population of 110,768 as reported  
21 by the U.S. Census Bureau in the 2010 Census of Population;

22 (6) a county with a population of 135,394 as reported  
23 by the U.S. Census Bureau in the 2010 Census of Population.

24 The certified local health departments in paragraphs (1)  
25 through (6) of this subsection (f) must have their training  
26 programs on file with the Department no later than 90 days

1 after the effective date of this Act. Any modules that meet the  
2 requirements of subsection (b) of Section 3.05 of this Act and  
3 are not approved within 180 days after the Department's receipt  
4 of the application of the entity seeking to conduct the  
5 training shall automatically be considered approved by the  
6 Department.

7 (g) Any and all documents, materials, or information  
8 related to a restaurant or business food handler training  
9 module submitted to the Department is confidential and shall  
10 not be open to public inspection or dissemination and is exempt  
11 from disclosure under Section 7 of the Freedom of Information  
12 Act. Training may be conducted by any means available,  
13 including, but not limited to, on-line, computer, classroom,  
14 live trainers, remote trainers, and certified food service  
15 sanitation managers. There must be at least one commercially  
16 available, approved food handler training module at a cost of  
17 no more than \$15 per employee; if an approved food handler  
18 training module is not available at that cost, then the  
19 provisions of this Section 3.06 shall not apply.

20 (h) The regulation of food handler training is considered  
21 to be an exclusive function of the State, and local regulation  
22 is prohibited. This subsection (h) is a denial and limitation  
23 of home rule powers and functions under subsection (h) of  
24 Section 6 of Article VII of the Illinois Constitution.

25 (i) The provisions of this Section apply beginning July 1,  
26 2014. From July 1, 2014 through December 31, 2014, enforcement

1 of the provisions of this Section shall be limited to education  
2 and notification of requirements to encourage compliance.

3 (Source: P.A. 98-566, eff. 8-27-13; 99-62, eff. 7-16-15; 99-78,  
4 eff. 7-20-15.)".