

HB3638



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3638

Introduced 2/17/2023, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3.08

Amends the Food Handling Regulation Enforcement Act. Directs the operator of a restaurant to identify on the restaurants' menus those menu items that contain milk, eggs, wheat, fish, shellfish, peanuts, tree nuts, soy, or sesame. Provides that this information may be published on the restaurant's website if the restaurant has a website.

LRB103 30372 CPF 56802 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Food Handling Regulation Enforcement Act is
5 amended by changing Section 3.08 as follows:

6 (410 ILCS 625/3.08)

7 Sec. 3.08. Food allergy awareness.

8 (a) A restaurant shall display a notice indicating to
9 consumers that any information regarding food allergies must
10 be communicated to an employee of the restaurant.

11 (b) An employee of a restaurant who receives allergy
12 information from a consumer shall communicate the consumer's
13 information to the restaurant's person in charge or the
14 certified food protection manager on duty.

15 (c) A restaurant meets the requirements of this Section if
16 the restaurant displays a notice regarding food allergies or
17 provides a statement regarding food allergies on its menu that
18 was approved in another state before the effective date of
19 this amendatory Act of the 101st General Assembly.

20 (d) A multi-state business or a franchisee, as that term
21 is defined in the Franchise Disclosure Act of 1987, meets the
22 requirements of this Section if the multi-state business or
23 franchisee has an internal policy that requires a notice

1 regarding allergies to be displayed or a statement regarding
2 food allergies to be provided on the menu.

3 (e) On or before January 1, 2020, the Department of Public
4 Health shall create and make available on its website for
5 download the notice required to be displayed under subsection
6 (a) of this Section.

7 (f) From the effective date of this amendatory Act of the
8 101st General Assembly through July 1, 2020, enforcement of
9 this Section shall be limited to education and notification of
10 the requirements of this Section to encourage compliance.

11 (g) The operator of a restaurant shall identify on the
12 restaurants' menus those menu items that contain milk, eggs,
13 wheat, fish, shellfish, peanuts, tree nuts, soy, or sesame.
14 Provides that this information may be published on the
15 restaurant's website if the restaurant has a website.

16 (Source: P.A. 101-495, eff. 8-23-19.)