

SB3305



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3305

Introduced 2/3/2026, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3.08

Amends the Food Handling Regulation Enforcement Act. Requires a restaurant to display a notice, directly on its menu or in a digital format, for each menu item indicating to consumers the major food allergens that the restaurant knows or reasonably should know are contained as ingredients in the menu item. Provides that a restaurant shall provide notice of major food allergens on its menu or in digital format through specified methods. Defines "major food allergen".

LRB104 19034 TRT 32479 b

A BILL FOR

1 AN ACT concerning health.

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 (a-5) A restaurant shall display a notice for each menu
12 item indicating to consumers the major food allergens that the
13 restaurant knows or reasonably should know are contained as
14 ingredients in the menu item. The restaurant may provide the
15 notice either directly on the restaurant's menu or in a
16 digital format. If the restaurant provides the information
17 directly on the restaurant's menu, each menu item shall be
18 followed by a written statement below or immediately adjacent
19 to the menu item indicating the major food allergens contained
20 in the menu item. If the restaurant provides the information
21 in a digital format, such as through a quick response code that
22 links to the restaurant's digital menu, the restaurant shall
23 have an alternative method to provide the information to

1 consumers who are not able to access the information in the
2 digital format. The notice required under this Section shall
3 either use the common or usual names of the major food
4 allergens or standardized images to communicate the presence
5 of the major food allergens in menu items. The Department of
6 Public Health or the health department of a unit of local
7 government may evaluate a restaurant's compliance with this
8 subsection by visually verifying the presence of the required
9 allergen notice or through other reasonable methods of
10 verification consistent with the intent of this subsection.
11 This subsection (a-5) does not alter any duty that a
12 restaurant may have under existing law to reasonably ensure
13 the safety of consumers.

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

18 (c) A restaurant meets the requirements of this Section if
19 the restaurant displays a notice regarding food allergies or
20 provides a statement regarding food allergies on its menu that
21 was approved in another state before the effective date of
22 this amendatory Act of the 104th ~~101st~~ General Assembly in
23 accordance with subsection (a) and if the restaurant displays
24 a notice regarding major food allergens in each menu item in
25 accordance with subsection (a-5).

26 (d) A multi-state business or a franchisee, as that term

1 is defined in the Franchise Disclosure Act of 1987, meets the
2 requirements of this Section if the multi-state business or
3 franchisee has an internal policy that requires a notice
4 regarding allergies to be displayed or a statement regarding
5 food allergies to be provided on the menu in accordance with
6 subsection (a) and if the multi-state business or franchisee
7 requires the display of a notice of major food allergens for
8 each menu item in accordance with subsection (a-5).

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

13 (f) As used in this Section:

14 "Alternative method" includes, but is not limited to, a
15 separate allergen-specific menu, an allergen chart, an
16 allergen grid, an allergen booklet, or other written
17 materials.

18 "Major food allergen" includes milk, eggs, fish,
19 crustaceans, tree nuts, wheat, peanuts, soybeans, sesame, and
20 food ingredients that contain protein derived from these
21 foods.

22 ~~From the effective date of this amendatory Act of the~~
23 ~~101st General Assembly through July 1, 2020, enforcement of~~
24 ~~this Section shall be limited to education and notification of~~
25 ~~the requirements of this Section to encourage compliance.~~

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