



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB3684**

by Rep. Kelly M. Burke

#### SYNOPSIS AS INTRODUCED:

410 ILCS 625/3

from Ch. 56 1/2, par. 333

Amends the Food Handling Regulation Enforcement Act. Provides that beginning January 1, 2018, any individual who has completed specified training requirements shall be considered a certified food service sanitation manager or a certified food service sanitation manager instructor. Removes provisions providing that a food service sanitation manager certificate or food service sanitation manager instructor certificate shall be provided by the Department of Public Health and removes corresponding provisions concerning the Department charging specified fees for the certificates. Removes provisions concerning recertification and certificate reciprocity. Provides that beginning January 1, 2018, a food service sanitation manager certificate or food service sanitation manager instructor certificate issued by an exam provider shall be valid for 5 years and nontransferable (currently, the certificates are provided by the Department, valid for 5 years, nontransferable, and may be revoked by the Department). Effective January 1, 2018.

LRB100 10609 MJP 20828 b

FISCAL NOTE ACT  
MAY APPLY

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 as follows:

6 (410 ILCS 625/3) (from Ch. 56 1/2, par. 333)

7 Sec. 3. Each food service establishment shall be under the  
8 operational supervision of a certified food service sanitation  
9 manager in accordance with rules promulgated under this Act.

10 By July 1, 1990, the Director of the Department of Public  
11 Health in accordance with this Act, shall promulgate rules for  
12 the education, examination, and certification of food service  
13 establishment managers and instructors of the food service  
14 sanitation manager certification education programs. Beginning  
15 January 1, 2018, any individual who has completed a minimum of  
16 8 hours of Department-approved training for food service  
17 sanitation manager certification, inclusive of the  
18 examination, and received a passing score on the examination  
19 set by the certification exam provider accredited under  
20 standards developed and adopted by the Conference for Food  
21 Protection or its successor organization, shall be considered  
22 to be a certified food service sanitation manager. Beginning  
23 January 1, 2018, any individual who has completed a minimum of

1 8 hours of Department-approved training for food service  
2 sanitation manager instructor certification, inclusive of the  
3 examination, and received a passing score on the examination  
4 set by the certification exam provider accredited under  
5 standards developed and adopted by the Conference for Food  
6 Protection or its successor organization, shall be considered  
7 to be a certified food service sanitation manager instructor.

8 ~~Beginning July 1, 2014, any individual seeking a food service~~  
9 ~~sanitation manager certificate or a food service sanitation~~  
10 ~~manager instructor certificate must complete a minimum of 8~~  
11 ~~hours of Department-approved training, inclusive of the~~  
12 ~~examination, and receive a passing score on the examination set~~  
13 ~~by the certification exam provider accredited under standards~~  
14 ~~developed and adopted by the Conference for Food Protection or~~  
15 ~~its successor organization.~~

16 A food service sanitation manager  
17 certificate issued by the exam provider shall be valid for 5  
18 years, ~~unless revoked by the Department of Public Health,~~ and  
19 shall not be transferable from the individual to whom it was  
20 issued. ~~Beginning July 1, 2014, recertification for food~~  
21 ~~service sanitation manager certification shall be accomplished~~  
22 ~~by presenting evidence of completion of 8 hours of~~  
23 ~~Department approved training, inclusive of the examination,~~  
24 ~~and having received a passing score on the examination set by~~  
25 ~~the certification exam provider accredited under standards~~  
26 ~~developed and adopted by the Conference for Food Protection or~~

1 ~~its successor organization.~~

2 For purposes of ~~certification and recertification for~~ food  
3 service sanitation manager certification, the Department shall  
4 accept only training approved by the Department and  
5 certification exams accredited under standards developed and  
6 adopted by the Conference for Food Protection or its successor.  
7 ~~The Department shall charge a fee of \$35 for each new and~~  
8 ~~renewed food service sanitation manager certificate and \$10 for~~  
9 ~~each replacement certificate. All fees collected under this~~  
10 ~~Section shall be deposited into the Food and Drug Safety Fund.~~

11 ~~Any fee received by the Department under this Section that~~  
12 ~~is submitted for the renewal of an expired food service~~  
13 ~~sanitation manager certificate may be returned by the Director~~  
14 ~~after recording the receipt of the fee and the reason for its~~  
15 ~~return.~~

16 ~~The Department shall award an Illinois certificate to~~  
17 ~~anyone presenting a valid certificate issued by another state,~~  
18 ~~so long as the holder of the certificate provides proof of~~  
19 ~~having passed an examination accredited under standards~~  
20 ~~developed and adopted by the Conference for Food Protection or~~  
21 ~~its successor. The \$35 issuance fee applies. The reciprocal~~  
22 ~~Illinois certificate shall expire on the same date as the~~  
23 ~~presented certificate. On or before the expiration date, the~~  
24 ~~holder must have met the Illinois recertification requirements~~  
25 ~~in order to be reissued an Illinois certificate. Reciprocity is~~  
26 ~~only for individuals who have moved to or begun working in~~

1 ~~Illinois in the 6 months prior to applying for reciprocity. Any~~  
2 ~~individual presenting an out-of-state certificate may do so~~  
3 ~~only once.~~

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

5 Section 99. Effective date. This Act takes effect January  
6 1, 2018.