



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2935

by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

410 ILCS 650/13.1 new

Amends the Sanitary Food Preparation Act. Requires that all premises of a permitted food establishment, including indoor play areas, be kept clean, fully operative, and in good repair. Sets forth specific requirements for an owner or operator of a permitted food establishment with an indoor play area. Sets forth mandatory procedures for when vomiting or fecal accidents occur in or around an indoor play area. Sets forth provisions concerning signage.

LRB098 08186 RPM 38284 b

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 Sanitary Food Preparation Act is amended by
5 adding Section 14 as follows:

6 (410 ILCS 650/13.1 new)

7 Sec. 13.1. Indoor play areas.

8 (a) For the purposes of this Section:

9 "Clean" means free from sources of filth, including
10 dust and dirt and, by all reasonable means, all other
11 foreign or infectious contamination, and not deleterious
12 to health. "Clean" includes the absence of refuse, dirt,
13 filth, or waste products subject to decomposition.

14 "Elevated play component" means a play component that
15 is approached from above or below grade and that is part of
16 a composite play structure consisting of 2 or more play
17 components attached or functionally linked to create an
18 integrated unit providing more than one play space.

19 "Food establishment" means an operation that stores,
20 prepares, packages, serves, vends, or otherwise provides
21 food for human consumption at the retail level.

22 "Ground level play component" means a play component
23 that is approached and exited at the ground level.

1 "Indoor play area" means any indoor play components
2 designed and constructed for children, including play
3 structures, ground level components, elevated play
4 components, and soft contained play equipment.

5 "Play area" means a portion of a site containing play
6 components designed and constructed for children.

7 "Play component" means an element intended to generate
8 specific opportunities for play, socialization, or
9 learning. Play components may be manufactured or natural
10 and may be stand alone or as part of a composite play
11 structure.

12 "Play structure" means any article that is used for
13 play, such as tunnels, slides, platforms, ladders, stairs,
14 steps, nets, ropes, inflatables, trampolines, webbing, and
15 accessories.

16 "Sanitize" means the application of cumulative heat or
17 chemicals on surfaces that when evaluated for efficacy is
18 sufficient to yield a reduction rate of 5 logs, which is
19 equal to 99.9999% reduction of representative disease
20 microorganisms of public health importance.

21 "Soft contained play equipment" means a play structure
22 made up of one or more components where the user enters a
23 fully enclosed play environment that utilizes pliable
24 materials, including, but not limited to, plastic,
25 netting, and fabric.

26 (b) All premises of a permitted food establishment,

1 including indoor play areas, shall be kept clean, fully
2 operative, and in good repair.

3 (c) The owner or operator of a permitted food establishment
4 with an indoor play area shall do all of the following:

5 (1) Meet the same standard of cleanliness that exists
6 for all other areas of the food facility, except food
7 handling and preparation areas.

8 (2) Display or provide upon request the permitted food
9 establishment's policy on maintenance of the play area and
10 the dates on which the play area was last inspected and
11 cleaned.

12 (3) Provide hand washing stations available for use by
13 the public in the establishment. The hand washing
14 facilities must be supplied with hot and cold water, hand
15 soap, and hand drying provisions.

16 (4) If hand washing facilities are not immediately
17 available in the play area, then a station or kiosk with
18 instant hand sanitizer must be provided in the indoor play
19 area.

20 (5) Clean all surfaces of the play area in which
21 children come into contact as needed, but no less than once
22 per day using an aqueous solution for sanitizing that
23 conforms to the manufactures' guidelines.

24 (6) Adopt procedures for employees to follow when
25 responding to vomiting or diarrheal incidents that involve
26 the discharge of vomitus or fecal matter onto the surface

1 or in the vicinity of the play area. The procedures must
2 address the specific actions employees must take to
3 minimize the contamination and the exposure of employees,
4 consumers, food, and surfaces to vomitus and fecal matter
5 and incorporate Section 2-501.11 of the Public Health
6 Reasons Annex in the recent supplement to the 2009 FDA Food
7 Code for specific direction.

8 (d) When vomiting or fecal accidents occur in or around the
9 indoor play area, the following procedures must be followed:

10 (1) The indoor play area must be closed immediately.

11 (2) Disposable gloves must be worn during cleaning. A
12 disposable mask and cover gown or apron must be worn when
13 cleaning liquid material.

14 (3) The material must be wiped with towels and must be
15 disposed of in a plastic garbage bag.

16 (4) The affected area must be cleaned and sanitized
17 with a chlorine solution to eliminate viral organisms.

18 (5) The affected area must be allowed to air dry.

19 (6) The gloves and cover gown or apron must be
20 discarded in a plastic bag.

21 A permanent sign shall be posted that is clearly visible to
22 the public from the indoor play area. The sign shall state that
23 customers are prohibited from taking food into or eating food
24 on play structures. The sign shall encourage patrons to use the
25 hand sanitizer that is available in the indoor play area or
26 wash their hands if a hand washing sink is present in the

1 indoor play area. The sign shall include contact information
2 for the management of the food establishment or contact
3 information for the local department of public health, or both.