

HB5354



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5354

by Rep. Charles E. Meier

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3.4 new

Amends the Food Handling Regulation Enforcement Act. Defines "home kitchen operation" and provides that neither the Department of Public Health nor the health department of a unit of local government may regulate the service of food by a home kitchen operation. Effective immediately.

LRB098 19952 RPM 55177 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning public 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 adding Section 3.4 as follows:

6 (410 ILCS 625/3.4 new)

7 Sec. 3.4. Home kitchen operation.

8 (a) For the purpose of this Section, "home kitchen
9 operation" means a person who produces or packages
10 non-potentially hazardous food in a kitchen of that person's
11 primary domestic residence for direct sale by the owner or a
12 family member, or for sale by a religious, charitable, or
13 nonprofit organization, stored in the residence where the food
14 is made. The following conditions must be met in order to
15 qualify as a home kitchen operation:

16 (1) Monthly gross sales do not exceed \$1,000.

17 (2) The food is not a potentially hazardous baked food,
18 as defined in Section 4 of this Act.

19 (3) A notice is provided to the purchaser that the
20 product was produced in a home kitchen.

21 (b) Notwithstanding any other provision of law, neither the
22 Department of Public Health nor the health department of a unit
23 of local government may regulate the service of food by a home

1 kitchen operation.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.