

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 06/27/2012
POSITION: Neutral

BILL NUMBER: SB 359
AUTHOR: Hernandez, Ed

BILL SUMMARY: Food Facilities: Hand Washing

This bill would make technical and clarifying changes to state law related to food preparation and handling.

FISCAL SUMMARY

This bill would have no fiscal impact on the state.

COMMENTS

The Department of Finance is neutral on this bill. This bill would have no fiscal impact on the state and would update the California Retail Food Code (CRFC) for current food safety standards. The CRFC contains information that should be updated to provide for consistency with current best practices in food handling and safety standards.

The author's office states changes in this bill are needed to ensure the best and most effective implementation of the state's principal retail food sanitation law are followed.

Existing law establishes the CRFC, which regulates all California food handling and safety standards. The CRFC requires specific sanitation criteria to be followed when washing hands, using gloves, working with cuts and lesions, and when operating mobile food facilities.

This bill would update the CRFC by adding requirements for: (1) employee hand washing when changing gloves where contamination has occurred, (2) working with single-use gloves, (3) covering and bandaging cuts and lesions before handling food, and (4) water capacity for water heaters in mobile food facilities. This bill would also give authority to local enforcement agencies to allow temporary alternative storage methods and locations to be used by mobile food facilities.

While this bill has been determined by Legislative Counsel to have an impact on local government, it does not appear to be a state mandate. This bill would primarily update current law to impose additional requirements on food facilities that may be enforced by local government. However, these provisions impose a fine of up to \$1,000 for violations of these requirements. Under Section 6(b) of Article XIII B of the California Constitution, any costs to a unit of local government which result from legislation defining a new crime or changing an existing definition of a crime are not "state mandated costs" and therefore, are not reimbursable by the State. In addition, Section 17556(g) of the Government Code provides that the Commission on State Mandates shall not find a reimbursable mandate in such legislation or in legislation which eliminated a crime or changed the penalty for a crime.

Analyst/Principal (0551) B.Nunes	Date	Program Budget Manager Ken DaRosa	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)

AUTHOR

AMENDMENT DATE

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SB 359

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code	
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2012-2013	FC	2013-2014	FC	2014-2015
4265/PublicHealth	SO	No		-----	No/Minor Fiscal Impact	-----		0001