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3 FIGURES SUBSTITUTE FOR HB528, AS ENGROSSED
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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Mobile; to establish the
14 regulatory authority for the Mobile County Health Department
15 to regulate intermittent food service establishments that
16 prepare food in association with a temporary exempt event that
17 is a regional celebration, tradition, or cultural event that
18 is designated as such by the City of Mobile, if the
19 intermittent food service establishment does not prepare,
20 sell, or distribute food on a regular basis in its regular
21 line of business.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. For the purposes of this act, the
24 following terms shall have the following meanings:

25 (1) INTERMITTENT FOOD SERVICE ESTABLISHMENT. Any
26 entity that has a physical address within the City of Mobile
27 that does not prepare or serve food in its regular line of

1 business but prepares and serves food on an intermittent basis
2 for a period of time not to exceed three consecutive days per
3 week.

4 (2) TEMPORARY EXEMPT EVENT. A special occurrence or
5 celebration that is community wide in conjunction with a local
6 or regional celebration, tradition, or cultural event.

7 Section 2. (a) An intermittent food service
8 establishment shall complete an online application on the
9 Mobile County Health Department web page at no charge, not
10 later than five business days prior to the event for an
11 exemption of food service at a temporary exempt event.

12 (b) The following information shall be provided in
13 the online application to the Mobile County Health Department
14 for any temporary exempt event:

15 (1) The event site location.

16 (2) The name of each food vendor.

17 (3) A general description list of foods to be sold
18 from each food vendor.

19 (c) An exemption shall not be construed as allowing
20 the sale of low acid foods in a hermetically sealed container,
21 such as home-canned vegetables, when such food is not prepared
22 in a permitted establishment.

23 (d) Any operator of a temporary exempt event shall
24 have a food handlers card issued by the Mobile County Health
25 Department, a handwashing facility, and a plan for adequate
26 garbage and waste containment.

1 (e) An intermittent food service establishment may
2 not be granted more than four exemptions in any calendar year,
3 at a single, specified location in conjunction with a
4 recurring temporary exempt event.

5 (f) Other than as provided for in this section, the
6 Mobile County Health Department shall not regulate an
7 intermittent food service establishment that prepares food in
8 association with a regional celebration, tradition, or
9 cultural event, when the establishment does not prepare, sell,
10 or distribute food on a regular basis or in its regular line
11 of business.

12 Section 3. Notwithstanding Section 2, a church that
13 is tax exempt and that conducts intermittent food sales for
14 fund raisers, and not as an ongoing or continuous food sales
15 operation, shall be exempt from the regulatory requirements of
16 the Mobile County Health Department, provided that all such
17 food sales are conducted on the premises of the church.

18 Section 4. Notwithstanding Section 2, food
19 establishments, including bars that serve only beverages and
20 ice, may boil whole crawfish, for public consumption, outside
21 on the premises of the establishment. The permitted
22 establishment shall be issued an exemption by the Mobile
23 County Health Department when the requirements of subsections
24 (b) and (d) are met.

25 Section 5. This act shall become effective
26 immediately following its passage and approval by the
27 Governor, or its otherwise becoming law.

