

2022 -- S 2908

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS

Introduced By: Senator Walter S. Felag

Date Introduced: April 26, 2022

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-27-10 of the General Laws in Chapter 21-27 entitled "Sanitation
2 in Food Establishments" is hereby amended to read as follows:

3 **21-27-10. Registration of food businesses.**

4 (a) No person shall operate a food business as defined in § 21-27-1(8) unless he or she
5 annually registers the business with the state director of health; provided, that food businesses
6 conducted by nonprofit organizations, hospitals, public institutions, farmers markets, roadside farm
7 stands, or any municipality shall be exempt from payment of any required fee. Additionally, no
8 license fee shall be required for an establishment that:

9 (1) Holds a Class C liquor license pursuant to § 3-7-8; and

10 (2) Complies with the license limits set forth in § 3-7-8(b).

11 (b) In order to set the registration renewal dates so that all activities for each establishment
12 can be combined on one registration instead of on several registrations, the registration renewal
13 date shall be set by the department of health. The registration period shall be for twelve (12) months
14 commencing on the registration renewal date. Any renewal registration fee shall be at the full,
15 annual rate regardless of the date of renewal. Any fee for a first-time application shall have the
16 registration fee pro-rated based upon the date of issuance of registration. If the registration renewal
17 date is changed, the department may make an adjustment to the fees of registered establishments,
18 not to exceed the annual registration fee, in order to implement the changes in registration renewal
19 date. Registrations issued under this chapter may be suspended or revoked for cause. Any

1 registration or license shall be posted in a place accessible and prominently visible to an agent of
2 the director.

3 (c) Registration with the director of health shall be based upon satisfactory compliance
4 with all laws and regulations of the director applicable to the food business for which registration
5 is required.

6 (d) The director of health is authorized to adopt regulations necessary for the
7 implementation of this chapter.

8 (e) Classification for registration shall be as follows:

9 (1) In-state and out-of-state food processors that sell food in Rhode Island (Wholesale)

10 (2) Food processors (Retail)

11 (3) Food service establishments:

12 (i) 50 seats or less

13 (ii) More than 50 seats

14 (iii) Mobile food service units

15 (iv) Industrial caterer or food vending machine commissary

16 (v) Cultural heritage educational facility

17 (4) Vending machine sites or location:

18 (i) Three (3) or less machines

19 (ii) Four (4) to ten (10) machines

20 (iii) Eleven (11) or more machines

21 (5) Retail markets:

22 (i) 1 to 2 cash registers

23 (ii) 3 to 5 cash registers

24 (iii) 6 or more cash registers

25 (6) Retail food peddler (meat, seafood, dairy, and frozen dessert products)

26 (7) Food warehouses

27 (f) In no instance, where an individual food business has more than one activity eligible
28 under this chapter for state registration within a single location, shall the business be required to
29 pay more than a single fee for the one highest classified activity listed in subsection (e) of this
30 section; provided, that, where several separate but identically classified activities are located within
31 the same building and under the management and jurisdiction of one person, one fee shall be
32 required. In each of the instances in this subsection, each activity shall be separately registered.

33 (g) Fees for registration of the above classifications shall be as set forth in § 23-1-54.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would eliminate the department of health food license fee for Class C liquor license
2 holders provided they are in compliance with the provisions of § 3-7-8(b) relating to the types of
3 pre-packaged foods prepared off the premises that may be served with alcoholic beverages.

4 This act would take effect upon passage.

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