

SENATE BILL 1945

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 43; Title 53; Title 67 and Title 68, relative to food service establishments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-14-703(11), is amended by adding the following as a new subdivision:

(l) "Food service establishment" does not include an establishment whose primary business is other than food service, that incidentally makes casual, occasional food sales for two (2) days or less while an organized temporary event is being conducted less than one-quarter mile ($\frac{1}{4}$ mi.) from the establishment.

SECTION 2. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following as a new part:

7-51-2501.

As used in this part, "local government" means a municipality or county, or an agency or unit of the municipality or county.

7-51-2502.

Notwithstanding § 53-8-123(c) or § 68-14-702(b)(2) or another law, a local government shall not adopt or enforce a resolution, ordinance, policy, or regulation that regulates, prohibits, or restricts the sale of food by an establishment excluded from the definition of "food service establishment" under § 68-14-703(11)(l), including the location and hours of operation of the sale of food by the establishment.

SECTION 3. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it.