



640054

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD/2R

.

02/28/2018 10:45 AM

.

.

Senator Bradley moved the following:

Senate Amendment (with title amendment)

Between lines 11 and 12

insert:

Section 1. Section 500.91, Florida Statutes, is created to read:

500.91 Regulation of food service utensils preempted to department.-

(1) The regulation of the use or sale of food service utensils, including, but not limited to, forks, knives, spoons, plates, napkins, and straws, by entities regulated under this



640054

12 chapter is preempted to the department. This preemption does not
13 apply to local ordinances, or provisions thereof, enacted before
14 January 1, 2018, and does not limit the authority of a local
15 government to restrict the use of such utensils by individuals
16 on public property, temporary vendors on public property, or
17 entities engaged in a contractual relationship with the local
18 government for the provision of goods or services, unless such
19 use is otherwise preempted by law.

20 (2) Consistent with the authority granted to the department
21 under s. 500.09(4), the department may adopt rules as necessary
22 to implement this section.

23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Delete line 2

27 and insert:

28 An act relating to the Department of Agriculture and
29 Consumer Services; creating s. 500.91, F.S.;
30 preempting the regulation of food service utensils to
31 the department; providing applicability; authorizing
32 the department to adopt rules; creating s.