1	A bill to be entitled						
2	An act relating to temporary commercial kitchens;						
3	amending s. 509.101, F.S.; requiring operators of						
4	public food service establishments who provide						
5	commissary services to maintain a temporary commercial						
6	kitchen registry; requiring temporary commercial						
7	kitchen operators to display license numbers; amending						
8	s. 509.102, F.S.; defining the term "temporary						
9	commercial kitchen"; preempting regulation of						
10	temporary commercial kitchens to the state; providing						
11	an effective date.						
12							
13	Be It Enacted by the Legislature of the State of Florida:						
14							
15	Section 1. Subsection (3) of section 509.101, Florida						
16	5 Statutes, is amended to read:						
17	509.101 Establishment rules; posting of notice; food						
18	service inspection report; maintenance of guest register; mobile						
19	food dispensing vehicle registry						
20	(3) It is the duty of each operator of a public food						
21	service establishment that provides commissary services to						
22	maintain a daily registry verifying that each mobile food						
23	dispensing vehicle or temporary commercial kitchen that receives						
24	such services is properly licensed by the division. In order						
25	that such licensure may be readily verified, each mobile food						
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26 dispensing vehicle operator or temporary commercial kitchen 27 operator shall permanently affix in a prominent place on the 28 side of the vehicle or kitchen, in figures at least 2 inches high and in contrasting colors from the background, the 29 30 operator's public food service establishment license number. Prior to providing commissary services, each public food service 31 32 establishment must verify that the license number displayed on 33 the vehicle or kitchen matches the number on the vehicle or 34 kitchen operator's public food service establishment license. 35 Section 2. Subsections (1), (2), and (3) of section

36 509.102, Florida Statutes, are amended to read:

37 509.102 Mobile food dispensing vehicles; temporary
38 commercial kitchens; preemption.-

(1) (a) As used in this section, the term "mobile food dispensing vehicle" means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

(b) As used in this section, the term "temporary commercial kitchen" means any kitchen that is a public food service establishment, used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle mounted, that include self-contained utilities,

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51 including, but not limited to, gas, water, electricity, or liquid waste disposal. Such kitchens are subject to all provisions of this chapter except as may be provided herein. The term does not include a tent. (2) (a) Regulation of mobile food dispensing vehicles, and temporary commercial kitchens, involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle or temporary commercial kitchen within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles or temporary commercial kitchens from operating within the entirety of the entity's jurisdiction. (b) Any mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment may operate during the same hours of operation as the separately licensed public food service establishment that operates such mobile food dispensing vehicle or temporary commercial kitchen.

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(3)

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This section may not be construed to affect a

municipality, county, or other local governmental entity's

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76 authority to regulate the operation of mobile food dispensing

77 vehicles or temporary commercial kitchens other than the

78 regulations described in subsection (2).

79 Section 3. This act shall take effect July 1, 2023.

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