

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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SENATE BILL 363

Short Title: Expand Outdoor Food Service at Public Events. (Public)

Sponsors: Senators Hartsell (Primary Sponsor); and Waddell.

Referred to: Rules and Operations of the Senate.

March 24, 2015

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING A VARIANCE FROM RULES GOVERNING THE
2 SANITATION OF PUSHCARTS AND MOBILE FOOD UNITS IN ORDER TO
3 EXPAND PORTABLE, OUTDOOR FOOD PREPARATION WITHOUT ENCLOSURE
4 FOR FOOD SERVICE TO THE PUBLIC.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 130-248(c1) reads as rewritten:

8 "(c1) The Commission shall adopt rules governing the sanitation of pushcarts and mobile
9 food units. A permitted restaurant or commissary shall serve as a base of operations for a
10 pushcart. A mobile food unit shall meet all of the sanitation requirements of a permitted
11 commissary or shall have a permitted restaurant or commissary that serves as its base of
12 operation. The Department of Health and Human Services may grant a variance from the rules
13 governing the sanitation of pushcarts, mobile food units, or both for the purpose of expanding
14 portable, outdoor food preparation without enclosure for food service to the public. The
15 Department may impose reasonable and appropriate conditions and safeguards upon any
16 variance it grants."

17 **SECTION 2.** This act is effective when it becomes law.

