



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5917

Introduced 2/10/2010, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

410 ILCS 625/3

from Ch. 56 1/2, par. 333

Amends the Food Handling Regulation Enforcement Act. Deletes language concerning food service sanitation manager recertification. Provides that, beginning January 1, 2011, any individual seeking initial food service sanitation manager certification shall be required to pass the certification examination provided by the Department of Public Health. Provides that an individual seeking initial certification who fails to pass the certification examination shall be required to complete the educational requirements established by the Department before retaking the examination. Provides that an individual who has a current certification from another state where that state required the individual to pass a certification examination shall be issued a food service sanitation manager certification upon application and payment of the corresponding fee.

LRB096 16679 RPM 31963 b

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Food Handling Regulation Enforcement Act is
5 amended by changing Section 3 as follows:

6 (410 ILCS 625/3) (from Ch. 56 1/2, par. 333)

7 Sec. 3. Food service sanitation manager.

8 (a) Each food service establishment shall be under the
9 operational supervision of a certified food service sanitation
10 manager in accordance with rules promulgated under this Act.

11 (b) By July 1, 1990, the Director of the Department of
12 Public Health in accordance with this Act, shall promulgate
13 rules for the education, examination, and certification of food
14 service establishment managers and instructors of the food
15 service sanitation manager certification education programs. A
16 food service sanitation manager certificate and a food service
17 sanitation manager instructor certificate shall be valid for 5
18 years, unless revoked by the Department of Public Health, and
19 shall not be transferable from the individual to whom it was
20 issued. ~~Recertification shall be accomplished by presenting~~
21 ~~evidence of ongoing food safety and food sanitation education~~
22 ~~or re-examination, in compliance with rules promulgated by the~~
23 ~~Director. Existing certificates shall expire on the printed~~

1 ~~expiration date or 5 years from the effective date of this~~
2 ~~amendatory Act of 1989.~~

3 Any individual may elect to take the Department of Public
4 Health food service sanitation manager certification
5 examination or take an examination administered by a testing
6 authority previously approved by the Department. The
7 Department shall charge a fee of \$35 for each new and renewed
8 food service sanitation manager certificate and \$10 for each
9 replacement certificate. All fees collected under this Section
10 shall be deposited into the Food and Drug Safety Fund.

11 Any fee received by the Department under this Section that
12 is submitted for the renewal of an expired food service
13 sanitation manager certificate may be returned by the Director
14 after recording the receipt of the fee and the reason for its
15 return.

16 (c) Beginning January 1, 2011, any individual seeking
17 initial certification shall be required to successfully pass
18 the examination provided by the Department pursuant to
19 subsection (b) of this Section. The educational requirements
20 established by the Department under subsection (b) shall only
21 be required if the individual seeking initial certification
22 fails to successfully pass the food service sanitation manager
23 certification examination. If the individual seeking initial
24 certification fails to pass the food service sanitation manager
25 certification examination, then the individual shall be
26 required to complete the educational requirements established

1 by the Department under subsection (b) before retaking the food
2 service manager certification examination.

3 (d) Beginning January 1, 2011, any individual who has a
4 current food service sanitation manager certification from
5 another state where that state required the individual to
6 successfully pass an accredited food service sanitation
7 manager certification examination in order to obtain the
8 certification shall be issued an Illinois food service
9 sanitation manager certification upon application and payment
10 of the fee established in subsection (b) of this Section.

11 (Source: P.A. 89-641, eff. 8-9-96.)