

APR 8 2002  
WAYS & MEANS CALENDAR

HOUSE FILE 2620  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2236)

Passed House, Date 4-10-02 (P.1307) Passed Senate, Date 4-12-02 (P.1149)  
Vote: Ayes 96 Nays 0 Vote: Ayes 29 Nays 6  
Approved May 2, 2002

A BILL FOR

1 An Act regulating farmers markets, providing for fees, making  
2 penalties applicable, and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2620

1 Section 1. Section 137F.1, subsection 8, paragraph e, Code  
2 Supplement 2001, is amended to read as follows:

3 e. ~~Premises which-operate-as~~ where a person operates a  
4 farmers market, if the person does not sell or distribute  
5 potentially hazardous food from the premises.

6 Sec. 2. Section 137F.6, Code Supplement 2001, is amended  
7 by adding the following new subsection:

8 NEW SUBSECTION. 7. For a farmers market where potentially  
9 hazardous food is sold or distributed, one seasonal license  
10 fee of one hundred dollars for each vendor on a countywide  
11 basis.

12 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
13 immediate importance, takes effect upon enactment.

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#### EXPLANATION

15 This bill amends Code chapter 137F which provides for the  
16 regulation, including the licensure, of food establishments  
17 and food processing plants. Under the chapter, regulation is  
18 carried out by a regulatory authority which is the department  
19 of inspections and appeals or a political subdivision  
20 (referred to as a "municipal corporation") that has entered  
21 into an agreement with the department for authority to enforce  
22 the chapter in its jurisdiction.

23 Pursuant to Code section 137F.1, a food establishment (a  
24 place where food is stored, prepared, packaged, or served for  
25 human consumption), does not include a farmers market. This  
26 bill amends Code chapter 137F to provide that a farmers market  
27 is a food establishment if it sells or distributes potentially  
28 hazardous food (food that is capable of supporting the rapid  
29 and progressive growth of toxins) from the premises.

30 The bill establishes a seasonal license fee of \$100 for  
31 each vendor on a countywide basis.

32 According to Code section 137F.17, a person who violates  
33 the Code chapter or rules adopted pursuant to the Code chapter  
34 is subject to a civil penalty of \$100.

35 The bill takes effect upon enactment.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

HOUSE FILE 2620

AN ACT

REGULATING FARMERS MARKETS, PROVIDING FOR FEES, MAKING PENALTIES APPLICABLE, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 137F.1, subsection 8, paragraph e, Code Supplement 2001, is amended to read as follows:

e. ~~Premises which operate as~~ where a person operates a farmers market, if the person does not sell or distribute potentially hazardous food from the premises.

Sec. 2. Section 137F.6, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 7. For a farmers market where potentially hazardous food is sold or distributed, one seasonal license fee of one hundred dollars for each vendor on a countywide basis.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2620, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved 5/2, 2002

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THOMAS J. VILSACK  
Governor

H.F. 2620