

FEB 18 2005  
WAYS AND MEANS

HOUSE FILE 351  
BY MASCHER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for an increase in home food establishment, food  
2 establishment, and food processing plant fees.

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

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HF 351

1 Section 1. Section 137D.2, subsection 1, Code 2005, is  
2 amended to read as follows:

3 1. A person shall not open or operate a home food  
4 establishment until a license has been obtained from the  
5 department of inspections and appeals. The department shall  
6 collect a fee of ~~twenty-five~~ fifty dollars for a license.  
7 Fees imposed pursuant to this subsection shall be increased  
8 annually in an amount equal to the percentage rate of change  
9 in the consumer price index as tabulated by the federal bureau  
10 of labor statistics for the current year times the current  
11 fee, and rounded to the nearest increment of five dollars.  
12 After collection, the fees shall be deposited in the general  
13 fund of the state. A license shall expire one year from date  
14 of issue. A license is renewable.

15 Sec. 2. Section 137F.6, Code 2005, is amended to read as  
16 follows:

17 137F.6 LICENSE FEES.

18 The regulatory authority shall collect the following annual  
19 license fees:

20 1. For a mobile food unit or pushcart, ~~twenty~~ forty  
21 dollars.

22 2. For a temporary food establishment per fixed location,  
23 ~~twenty-five~~ fifty dollars.

24 3. For a vending machine, ~~twenty~~ forty dollars for the  
25 first machine and ~~five~~ ten dollars for each additional  
26 machine.

27 4. For a food establishment which prepares or serves food  
28 for individual portion service intended for consumption on-  
29 the-premises, the annual license fee shall correspond to the  
30 annual gross food and beverage sales of the food  
31 establishment, as follows:

32 a. Annual gross sales of under fifty thousand dollars,  
33 ~~fifty~~ one hundred dollars.

34 b. Annual gross sales of at least fifty thousand dollars  
35 but less than one hundred thousand dollars, ~~eighty-five~~ one

1 hundred seventy dollars.

2 c. Annual gross sales of at least one hundred thousand  
3 dollars but less than two hundred fifty thousand dollars, one  
4 hundred-seventy-five three hundred fifty dollars.

5 d. Annual gross sales of two hundred fifty thousand  
6 dollars but less than five hundred thousand dollars, two four  
7 hundred dollars.

8 e. Annual gross sales of five hundred thousand dollars or  
9 more, two-hundred-twenty-five four hundred fifty dollars.

10 5. For a food establishment which sells food or food  
11 products to consumer customers intended for preparation or  
12 consumption off-the-premises, the annual license fee shall  
13 correspond to the annual gross food and beverage sales of the  
14 food establishment, as follows:

15 a. Annual gross sales of under ten thousand dollars,  
16 thirty sixty dollars.

17 b. Annual gross sales of at least ten thousand dollars but  
18 less than two hundred fifty thousand dollars, seventy-five one  
19 hundred fifty dollars.

20 c. Annual gross sales of at least two hundred fifty  
21 thousand dollars but less than five hundred thousand dollars,  
22 one-hundred-fifteen two hundred thirty dollars.

23 d. Annual gross sales of at least five hundred thousand  
24 dollars but less than seven hundred fifty thousand dollars,  
25 one-hundred-fifty three hundred dollars.

26 e. Annual gross sales of seven hundred fifty thousand  
27 dollars or more, two-hundred-twenty-five four hundred fifty  
28 dollars.

29 6. For a food processing plant, the annual license fee  
30 shall correspond to the annual gross food and beverage sales  
31 of the food processing plant, as follows:

32 a. Annual gross sales of under fifty thousand dollars,  
33 fifty one hundred dollars.

34 b. Annual gross sales of at least fifty thousand dollars  
35 but less than two hundred fifty thousand dollars, one two

1 hundred dollars.

2 c. Annual gross sales of at least two hundred fifty  
3 thousand dollars but less than five hundred thousand dollars,  
4 ~~one-hundred-fifty~~ three hundred dollars.

5 d. Annual gross sales of five hundred thousand dollars or  
6 more, ~~two-hundred-fifty~~ five hundred dollars.

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

10 A food establishment covered by subsections 4 and 5 shall  
11 be assessed license fees not to exceed seventy-five percent of  
12 the total fees applicable under both subsections.

13 All fees imposed pursuant to this chapter shall be  
14 increased annually in an amount equal to the percentage rate  
15 of change in the consumer price index as tabulated by the  
16 federal bureau of labor statistics for the current year times  
17 the current fee, and rounded to the nearest increment of five  
18 dollars.

19 Fees collected by the department shall be deposited in the  
20 general fund of the state. Fees collected by a municipal  
21 corporation shall be retained by the municipal corporation for  
22 regulation of food establishments and food processing plants  
23 licensed under this chapter.

24 Each vending machine licensed under this chapter shall bear  
25 a readily visible identification tag or decal provided by the  
26 licensee, containing the licensee's business address and phone  
27 number, and a company license number assigned by the  
28 regulatory authority.

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#### EXPLANATION

30 This bill provides for an increase in home food  
31 establishment, food establishment, and food processing plant  
32 licensing fees.

33 The bill provides that with reference to home food  
34 establishments licensed pursuant to Code chapter 137D, and  
35 food establishments and food processing plants licensed

1 pursuant to Code chapter 137F, the current annual licensing  
2 fees shall be doubled. The bill provides that for each year  
3 thereafter, the fees shall be increased annually in an amount  
4 equal to the percentage rate of change in the consumer price  
5 index as tabulated by the federal bureau of labor statistics  
6 for the current year times the current fee, and rounded to the  
7 nearest increment of \$5.

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