
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 186

Assembly Amendment 1

2019 ASSEMBLY BILL 186

2019 Assembly Bill 186 provides that a stand operated by a minor need not receive a retail food establishment license and that a place used for preparing food for sale at a stand operated by a minor need not obtain a food processing plant license from the Department of Agriculture, Trade, and Consumer Protection. Under the bill, a “stand operated by a minor” is a stand or other location at which goods are occasionally sold directly to consumers, that operates on a temporary, occasional basis, and that is operated solely by a person or persons under the age of 18 on private property with the permission of the property owner. The bill further prohibits a local unit of government from banning, or requiring a permit or license for, a stand operated by a minor.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 specifies that goods sold at a stand operated by a minor may not include potentially hazardous food, which is defined as a food that requires temperature control because it is in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms, growth and toxin production of *Clostridium botulinum*, or, in raw shell eggs, growth of *Salmonella enteritidis*.

BILL HISTORY

Representatives Horlacher and Sargent offered Assembly Amendment 1 on April 30, 2019. On September 12, 2019, the Assembly Committee on Consumer Protection recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 9; Noes, 0.

PJH:ksm