



## 2009 ASSEMBLY BILL 414

September 4, 2009 – Introduced by Representatives RICHARDS, PETROWSKI, BERNARD SCHABER and TOWNSEND, cosponsored by Senators RISSER, HOPPER and TAYLOR. Referred to Committee on Public Health.

1     **AN ACT** *to repeal* 254.71 (6) (b); and *to amend* 254.71 (3) of the statutes;  
2             **relating to:** requirements for a certificate of food protection practices and  
3             providing an exemption from emergency rule procedures.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a person must have a certificate of food protection practices to manage or operate a restaurant. A person must pass a written examination that is approved by the Department of Health Services (DHS), or achieve comparable compliance, to obtain a certificate. A certificate is valid for five years and may be renewed upon satisfactory completion of a recertification training course that is approved by DHS.

This bill requires that a person pass a written examination on food protection practices that is approved by DHS to renew a certificate of food protection practices. The bill also authorizes DHS to promulgate an emergency rule establishing criteria for approving an examination for certificate renewal without providing evidence that an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and without making a finding of emergency.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 254.71 (3) of the statutes is amended to read:

