February 17, 2015 – Introduced by Representatives PETRYK, KREMER, ALLEN, DANOU, EDMING, GENRICH, KAHL, KOLSTE, KRUG, KULP, T. LARSON, MURSAU, A. OTT, POPE, RIEMER, ROHRKASTE, SINICKI, SPIROS, STEFFEN, SUBECK and TAUCHEN, cosponsored by Senators OLSEN, L. TAYLOR, BEWLEY and HARRIS DODD. Referred to Committee on State Affairs and Government Operations.

AN ACT to create 254.71 (1m) of the statutes; relating to: requiring certain persons to hold certificates of food protection practices in order to operate certain school lunchrooms participating in the National School Lunch Program.

Analysis by the Legislative Reference Bureau

Under current law, no person may conduct, maintain, manage, or operate a restaurant unless the operator or manager of the restaurant holds a valid certificate of food protection practices (FPP certificate) issued by the Department of Health Services (DHS). Current law defines “restaurant” to include any public or private school lunchroom for which food service is provided by contract, but excludes from the definition of “restaurant” any public or private school lunchroom for which food service is directly provided by the school. A person may obtain an FPP certificate by satisfactorily completing an examination that is approved by DHS and allows an individual to demonstrate basic knowledge of food protection practices or by achieving comparable compliance. An FPP certificate is valid for five years and may be renewed if the holder of the FPP certificate satisfactorily completes an approved examination.

This bill provides that no person may conduct, maintain, manage, or operate a school lunchroom that is in a school that is participating in the federal National School Lunch Program and for which food service is directly provided by the school unless the operator or manager of the lunchroom, or his or her designee, holds a valid FPP certificate issued by DHS.
For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 254.71 (1m) of the statutes is created to read:

254.71 (1m) No person may conduct, maintain, manage, or operate a school lunchroom that is in a school that is participating in the national school lunch program under 42 USC 1751 to 1769j for which food service is directly provided by the school unless the operator or manager of the lunchroom, or his or her designee, is a certificate holder.

(END)