

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB146

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Suetterlein

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Prepared foods; certified food protection managers

5. Summary: Provides that an establishment that sells prepared food shall not be required to have a certified food protection manager on site during all hours of operation.

This fiscal impact statement has been revised to include additional information from the Virginia Department of Agriculture and Consumer Services.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See item 8.

8. Fiscal Implications: According to the Virginia Department of Agriculture and Consumer Services, if this bill passed, it would require a change to the Retail Food Establishment regulation (2VAC5-585-65). Not adopting all the requirements in the Food and Drug Administration's National Food Code could result in a loss of federal funding of approximately \$500,000 or other consequences. This change would put Virginia out of compliance with surrounding states since this is a national requirement. That would cause confusion for businesses that operate in multiple states. This revenue is appropriated in Item 104 of the Governors introduced bill.

While there is no guarantee the federal government would take away this funding, it would put the funding at risk. If this funding was lost, the agency would have to make reductions to the program.

The provisions of this bill would not have a fiscal impact on the Virginia Department of Health.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Agriculture and Consumer Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.