

CHAPTER 72

HEALTH & ENVIRONMENT

HOUSE BILL 95-1030

BY REPRESENTATIVES Moellenberg, Agler, Allen, Chlouber, George, McPherson, Musgrave, Prinzler, Schwarz, Swenson, Taylor, and Tucker;
also SENATORS Rizzuto, Ament, Bishop, Blickensderfer, Feeley, Johnson, Lacy, Mares, Martinez, Pascoe, L. Powers, R. Powers, Rupert, Schaffer, and Wells.

AN ACT**CONCERNING THE SALE OF FOOD BY NONPROFIT ORGANIZATIONS AT FOOD BOOTHS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-44-211 (1) (b), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-44-211. Unlawful acts. (1) It is unlawful:

(b) To sell or serve to any person, in, by, or from a food service establishment, any food unless the same is sold or served by a licensed or certified food service establishment; except that nothing in this section shall prohibit or limit:

(I) The serving of only commercially prepared prepackaged foods requiring no preparation other than the heating of food within its original container or package;
~~and~~

(II) The selling or serving of food by individuals OR organizations ~~or charitable institutions~~ engaging only in the occasional sale or serving of food;

(III) THE DONATION, PREPARATION, SALE, OR SERVICE OF FOOD BY A NONPROFIT OR CHARITABLE ORGANIZATION IN CONJUNCTION WITH AN EVENT OR CELEBRATION NOT TO EXCEED THE DURATION OF THE EVENT OR A MAXIMUM OF FIFTY-TWO DAYS WITHIN A CALENDAR YEAR IN THE COUNTY IN WHICH SUCH

NONPROFIT OR CHARITABLE ORGANIZATION RESIDES OR IS PRINCIPALLY LOCATED.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 13, 1995