

2025 -- H 5942

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LC001905
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS

Introduced By: Representatives McNamara, Serpa, Ackerman, Shanley, Read, Solomon,
and Costantino

Date Introduced: February 28, 2025

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-27-10 of the General Laws in Chapter 21-27 entitled "Sanitation
2 in Food Establishments" is hereby amended to read as follows:

3 **21-27-10. Registration of food businesses.**

4 (a) No person shall operate a food business as defined in § 21-27-1 unless he or she
5 annually registers the business with the state director of health; provided, that food businesses
6 conducted by nonprofit organizations, hospitals, public institutions, farmers markets, roadside farm
7 stands, or any municipality shall be exempt from payment of any required fee. Additionally, no
8 license fee shall be required for an establishment that:

9 (1) Holds a Class C liquor license pursuant to § 3-7-8; and

10 (2) Complies with the license limits set forth in § 3-7-8(b).

11 (b) In order to set the registration renewal dates so that all activities for each establishment
12 can be combined on one registration instead of on several registrations, the registration renewal
13 date shall be set by the department of health. The registration period shall be for twelve (12) months
14 commencing on the registration renewal date. Any renewal registration fee shall be at the full,
15 annual rate regardless of the date of renewal. Any fee for a first-time application shall have the
16 registration fee pro-rated based upon the date of issuance of registration. If the registration renewal
17 date is changed, the department may make an adjustment to the fees of registered establishments,
18 not to exceed the annual registration fee, in order to implement the changes in registration renewal
19 date. Registrations issued under this chapter may be suspended or revoked for cause. Any

1 registration or license shall be posted in a place accessible and prominently visible to an agent of
2 the director.

3 (c) Registration with the director of health shall be based upon satisfactory compliance
4 with all laws and regulations of the director applicable to the food business for which registration
5 is required.

6 (d) The director of health is authorized to adopt regulations necessary for the
7 implementation of this chapter.

8 (e) Classification for registration shall be as follows:

9 (1) In-state and out-of-state food processors that sell food in Rhode Island (Wholesale)

10 (2) Food processors (Retail)

11 (3) Food service establishments:

12 (i) 50 seats or less

13 (ii) More than 50 seats

14 (iii) Mobile food service units

15 (iv) Industrial caterer or food vending machine commissary

16 (v) Cultural heritage educational facility

17 (4) Vending machine sites or location:

18 (i) Three (3) or less machines

19 (ii) Four (4) to ten (10) machines

20 (iii) Eleven (11) or more machines

21 (5) Retail markets:

22 (i) 1 to 2 cash registers

23 (ii) 3 to 5 cash registers

24 (iii) 6 or more cash registers

25 (6) Retail food peddler (meat, seafood, dairy, and frozen dessert products)

26 (7) Food warehouses

27 (f) In no instance, where an individual food business has more than one activity eligible
28 under this chapter for state registration within a single location, shall the business be required to
29 pay more than a single fee for the one highest classified activity listed in subsection (e) of this
30 section; provided, that, where several separate but identically classified activities are located within
31 the same building and under the management and jurisdiction of one person, one fee shall be
32 required. In each of the instances in this subsection, each activity shall be separately registered.

33 (g) Fees for registration of the above classifications shall be as set forth in § 23-1-54.

34 [\(h\) The department shall also annually charge food service establishments an additional](#)

1 [fee of fifty dollars \(\\$50.00\) per year, which shall be transferred to the department of labor and](#)
2 [training and shall be deposited into the hospitality training restricted receipt account, which shall](#)
3 [be exempt from the indirect cost recovery provisions of § 35-4-27. Subject to appropriation by the](#)
4 [general assembly, these funds shall be used to provide hospitality industry workforce training](#)
5 [grants including, but not limited to, certified food and alcohol safety training programs offered in](#)
6 [multiple languages.](#)

7 SECTION 2. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"
8 is hereby amended to read as follows:

9 **35-4-27. Indirect cost recoveries on restricted receipt accounts. [Effective January 1,**
10 **2025.]**

11 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all
12 restricted receipt accounts, to be recorded as general revenues in the general fund. However, there
13 shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions
14 from nonprofit charitable organizations; (2) From the assessment of indirect cost-recovery rates on
15 federal grant funds; or (3) Through transfers from state agencies to the department of administration
16 for the payment of debt service. These indirect cost recoveries shall be applied to all accounts,
17 unless prohibited by federal law or regulation, court order, or court settlement. The following
18 restricted receipt accounts shall not be subject to the provisions of this section:

- 19 Executive Office of Health and Human Services
- 20 Organ Transplant Fund
- 21 HIV Care Grant Drug Rebates
- 22 Health System Transformation Project
- 23 Rhode Island Statewide Opioid Abatement Account
- 24 HCBS Support-ARPA
- 25 HCBS Admin Support-ARPA
- 26 Department of Human Services
- 27 Veterans' home — Restricted account
- 28 Veterans' home — Resident benefits
- 29 Pharmaceutical Rebates Account
- 30 Demand Side Management Grants
- 31 Veteran's Cemetery Memorial Fund
- 32 Donations — New Veterans' Home Construction
- 33 Commodity Supplemental Food Program-Claims
- 34 Department of Health

1 Pandemic medications and equipment account
2 Miscellaneous Donations/Grants from Non-Profits
3 State Loan Repayment Match
4 Healthcare Information Technology
5 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
6 Eleanor Slater non-Medicaid third-party payor account
7 Hospital Medicare Part D Receipts
8 RICLAS Group Home Operations
9 Group Home Facility Improvement Fund
10 Commission on the Deaf and Hard of Hearing
11 Emergency and public communication access account
12 Department of Environmental Management
13 National heritage revolving fund
14 Environmental response fund II
15 Underground storage tanks registration fees
16 De Coppet Estate Fund
17 Rhode Island Historical Preservation and Heritage Commission
18 Historic preservation revolving loan fund
19 Historic Preservation loan fund — Interest revenue
20 Department of Public Safety
21 E-911 Uniform Emergency Telephone System
22 Forfeited property — Retained
23 Forfeitures — Federal
24 Forfeited property — Gambling
25 Donation — Polygraph and Law Enforcement Training
26 Rhode Island State Firefighter's League Training Account
27 Fire Academy Training Fees Account
28 Attorney General
29 Forfeiture of property
30 Federal forfeitures
31 Attorney General multi-state account
32 Forfeited property — Gambling
33 Department of Administration
34 OER Reconciliation Funding

1 Health Insurance Market Integrity Fund
2 RI Health Benefits Exchange
3 Information Technology restricted receipt account
4 Restore and replacement — Insurance coverage
5 Convention Center Authority rental payments
6 Investment Receipts — TANS
7 OPEB System Restricted Receipt Account
8 Car Rental Tax/Surcharge-Warwick Share
9 Grants Management Administration
10 RGGI-Executive Climate Change Coordinating Council Projects
11 Electric Vehicle Charging Stations Operating and Maintenance Account
12 Department of Housing
13 Housing Resources and Homelessness Restricted Receipt Account
14 Housing Production Fund
15 Low-Income Housing Tax Credit Fund
16 Department of Revenue
17 DMV Modernization Project
18 Jobs Tax Credit Redemption Fund
19 Legislature
20 Audit of federal assisted programs
21 Department of Children, Youth and Families
22 Children’s Trust Accounts — SSI
23 Military Staff
24 RI Military Family Relief Fund
25 RI National Guard Counterdrug Program
26 Treasury
27 Admin. Expenses — State Retirement System
28 Retirement — Treasury Investment Options
29 Defined Contribution — Administration - RR
30 Violent Crimes Compensation — Refunds
31 Treasury Research Fellowship
32 Business Regulation
33 Banking Division Reimbursement Account
34 Office of the Health Insurance Commissioner Reimbursement Account

- 1 Securities Division Reimbursement Account
- 2 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 3 Insurance Division Reimbursement Account
- 4 Historic Preservation Tax Credit Account
- 5 Marijuana Trust Fund
- 6 Social Equity Assistance Fund
- 7 Judiciary
- 8 Arbitration Fund Restricted Receipt Account
- 9 Third-Party Grants
- 10 RI Judiciary Technology Surcharge Account
- 11 Department of Elementary and Secondary Education
- 12 Statewide Student Transportation Services Account
- 13 School for the Deaf Fee-for-Service Account
- 14 School for the Deaf — School Breakfast and Lunch Program
- 15 Davies Career and Technical School Local Education Aid Account
- 16 Davies — National School Breakfast & Lunch Program
- 17 School Construction Services
- 18 Office of the Postsecondary Commissioner
- 19 Higher Education and Industry Center
- 20 IGT STEM Scholarships
- 21 Department of Labor and Training
- 22 Job Development Fund
- 23 Contractor Training Restricted Receipt Account
- 24 [Hospitality Training Restricted Receipt Account](#)
- 25 Rhode Island Council on the Arts
- 26 Governors' Portrait Donation Fund
- 27 Statewide records management system account
- 28 SECTION 3. This act shall take effect on January 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS

1 This act would establish a restricted receipt account at the department of labor and training
2 (“DLT”) to be used for hospitality industry workforce training grants, including certified food and
3 alcohol safety training programs offered in multiple languages, funded by an annual fee of fifty
4 (\$50.00) dollars charged by the department of health (“DOH”) to food service establishments.

5 This act would take effect on January 1, 2026.

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