

1 **SENATE FLOOR VERSION**

2 February 18, 2019

3 SENATE BILL NO. 919

By: Scott

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7 An Act relating to the Home Bakery Act of 2013;  
8 amending Section 3, Chapter 40, O.S.L. 2013, as  
9 amended by Section 2, Chapter 85, O.S.L. 2017, and as  
10 renumbered by Section 5, Chapter 85, O.S.L. 2017 (2  
11 O.S. Supp. 2018, Section 5-4.3), which relates to  
12 sales of prepared food; allowing for sale of prepared  
13 food at restaurants; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY Section 3, Chapter 40, O.S.L.  
16 2013, as amended by Section 2, Chapter 85, O.S.L. 2017, and as  
17 renumbered by Section 5, Chapter 85, O.S.L. 2017 (2 O.S. Supp. 2018,  
18 Section 5-4.3), is amended to read as follows:

19 Section 5-4.3. A. A home food establishment may sell prepared  
20 food on site, by delivery, at a farmers market, through a  
21 cooperative, at restaurants or through a membership-based buying  
22 club. The Oklahoma Department of Agriculture, Food, and Forestry  
23 may promulgate rules to allow sales at other locations or by other  
24 means.

1 B. A home food establishment shall be exempt from the licensing  
2 and other requirements of the State Department of Health.

3 C. The Oklahoma Department of Agriculture, Food, and Forestry  
4 may, upon a consumer complaint, request written documentation to  
5 verify the gross annual sales of a home food establishment.

6 SECTION 2. This act shall become effective November 1, 2019.

7 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE  
8 February 18, 2019 - DO PASS

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