

1.1 ..... moves to amend H.F. No. 637 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2010, section 157.15, subdivision 12b, is amended to  
1.4 read:

1.5 Subd. 12b. **School concession stand.** "School concession stand" means a food  
1.6 and beverage service establishment located in a school, on school grounds, or within a  
1.7 school-owned athletic complex, that is operated in conjunction with school-sponsored  
1.8 events. A school kitchen or school cafeteria is not a school concession stand.

1.9 Sec. 2. Minnesota Statutes 2010, section 157.22, is amended to read:

1.10 **157.22 EXEMPTIONS.**

1.11 This chapter does not apply to:

1.12 (1) interstate carriers under the supervision of the United States Department of  
1.13 Health and Human Services;

1.14 (2) activities such as weddings, fellowship meals, funerals, or dinners conducted  
1.15 by a faith-based organization using any building constructed and primarily used for  
1.16 religious worship or education;

1.17 (3) any building owned, operated, and used by a college or university in accordance  
1.18 with health regulations promulgated by the college or university under chapter 14;

1.19 (4) any person, firm, or corporation whose principal mode of business is licensed  
1.20 under sections 28A.04 and 28A.05, is exempt at that premises from licensure as a food  
1.21 or beverage establishment; provided that the holding of any license pursuant to sections  
1.22 28A.04 and 28A.05 shall not exempt any person, firm, or corporation from the applicable  
1.23 provisions of this chapter or the rules of the state commissioner of health relating to  
1.24 food and beverage service establishments;

- 2.1 (5) family day care homes and group family day care homes governed by sections  
2.2 245A.01 to 245A.16;
- 2.3 (6) nonprofit senior citizen centers for the sale of home-baked goods;
- 2.4 (7) fraternal, sportsman, or patriotic organizations that are tax exempt under section  
2.5 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(10), or 501(c)(19) of the Internal  
2.6 Revenue Code of 1986, or organizations related to ~~or~~, affiliated with, or supported by  
2.7 such fraternal, sportsman, or patriotic organizations. Such organizations may organize  
2.8 events for events held in the building or on the grounds of the organization and at which  
2.9 home-prepared food is donated by organization members for sale at the events, provided:
- 2.10 (i) the event is not a circus, carnival, or fair;
- 2.11 (ii) the organization controls the admission of persons to the event, the event agenda,  
2.12 or both; and
- 2.13 (iii) the organization's licensed kitchen is not used in any manner for the event;
- 2.14 (8) food not prepared at an establishment and brought in by individuals attending a  
2.15 potluck event for consumption at the potluck event. An organization sponsoring a potluck  
2.16 event under this clause may advertise the potluck event to the public through any means.  
2.17 Individuals who are not members of an organization sponsoring a potluck event under this  
2.18 clause may attend the potluck event and consume the food at the event. Licensed food  
2.19 establishments other than schools cannot be sponsors of potluck events. A school may  
2.20 sponsor and hold potluck events in areas of the school other than the school's kitchen,  
2.21 provided that the school's kitchen is not used in any manner for the potluck event. For  
2.22 purposes of this clause, "school" means a public school as defined in section 120A.05,  
2.23 subdivisions 9, 11, 13, and 17, or a nonpublic school, church, or religious organization  
2.24 at which a child is provided with instruction in compliance with sections 120A.22 and  
2.25 120A.24. Potluck event food shall not be brought into a licensed food establishment  
2.26 kitchen;
- 2.27 (9) a home school in which a child is provided instruction at home;
- 2.28 (10) school concession stands ~~operated in conjunction with school-sponsored events~~  
2.29 ~~on school property are exempt from the 21-day restriction; and as defined in section~~  
2.30 157.15, subdivision 12b;
- 2.31 (11) group residential facilities of ten or fewer beds licensed by the commissioner of  
2.32 human services under Minnesota Rules, chapter 2960, provided the facility employs or  
2.33 contracts with a certified food manager under Minnesota Rules, part 4626.2015;
- 2.34 (12) fund-raisers, community festivals, or other events conducted in the building or  
2.35 on the grounds of a faith-based organization or in a building owned or leased by a local  
2.36 unit of government, excluding public schools, provided that a certified food manager, or a

3.1 volunteer trained in a food safety course, trains the food preparation workers in safe  
3.2 food handling practices. This exemption does not apply to faith-based organizations that  
3.3 choose to apply for a license for events; and

3.4 (13) food service events conducted following a disaster for purposes of feeding  
3.5 disaster relief staff and volunteers."

3.6 Amend the title accordingly