

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2216

Session of
2000

INTRODUCED BY CLARK, FAIRCHILD, BENNINGHOFF, DALEY, BELFANTI,
SAYLOR, GORDNER, ALLEN, SEYFERT, HENNESSEY, SOLOBAY, STABACK,
WILT, E. Z. TAYLOR, STERN, S. MILLER, THOMAS, CORRIGAN,
TRELLO, J. TAYLOR, R. MILLER, SATHER, YOUNGBLOOD, NICKOL,
MAITLAND, HANNA, EGOLF, B. SMITH, FORCIER, NAILOR AND
PHILLIPS, FEBRUARY 2, 2000

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 4, 2000

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, further providing for exemptions for food employee
3 certification.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6510 of Title 3 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:

8 § 6510. Exemptions.

9 * * *

10 (d) Exempt organizations.--The following organizations are
11 exempt from this chapter:

12 (1) A food establishment managed by an organization
13 which is eligible to become a tax-exempt organization under
14 section 501(c)(3) of the Internal Revenue Code of 1986
15 (Public Law 99-514, 26 U.S.C. § 501(c)(3)).

16 (2) A food establishment managed by an organization

1 which is a volunteer fire company or an ambulance, religious,
2 charitable, fraternal, veterans, civic, agricultural fair or
3 agricultural association, or any separately chartered
4 auxiliary of any of the above associations.

5 (3) A food establishment managed by an organization
6 which is established to promote and encourage participation
7 and support for extracurricular recreational activities for
8 youth of primary and secondary public, private and parochial
9 school systems on a not-for-profit basis.

10 ~~(c) Food sales limit. A food establishment which derives~~ <—

11 ~~(E) FOOD SALES LIMIT.--~~ <—

12 (1) A FOOD ESTABLISHMENT WHICH DERIVES less than 40%
13 gross income from the sale of food is exempt from this
14 chapter.

15 (2) FOOD ESTABLISHMENTS WITH LESS THAN \$25,000 IN FOOD <—
16 SALES, ON AN ANNUAL BASIS, WHICH ARE SUBJECT TO THE TAX
17 IMPOSED UNDER ARTICLE II OF THE ACT OF MARCH 4, 1971 (P.L.6,
18 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.

19 (f) Mobile and temporary food establishments.--A food
20 establishment which operates at any location for a temporary
21 period of time not to exceed 14 consecutive days, regardless of
22 whether the establishment operates continuously during this
23 time, in connection with a fair, carnival, circus, public
24 exhibition or similar transitory gathering is exempt from this
25 chapter.

26 Section 2. This act shall take effect in 60 days.