

# Senate Bill 629

Sponsored by Senator JOHNSON (at the request of The Oregon Bed and Breakfast Guild)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Deletes food service regulation exemption for bed and breakfast facilities having no more than two rooms for rent.

Becomes operative January 1, 2014.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to bed and breakfast facilities; creating new provisions; amending ORS 624.010; and de-  
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 624.010 is amended to read:

6 624.010. As used in ORS 624.010 to 624.121, unless the context requires otherwise:

7 (1) "Authority" means the Oregon Health Authority.

8 (2) "Bed and breakfast facility" means any establishment located in a structure designed for a  
9 single family residence and structures appurtenant thereto, regardless of whether the owner or op-  
10 erator of the establishment resides in any of the structures, that:

11 (a) Has *[more than two]* rooms for rent on a daily basis to the public; and

12 (b) Offers a breakfast meal as part of the cost of the room.

13 (3) "Director" means the Director of the Oregon Health Authority.

14 (4) "Intermittent temporary restaurant" means an establishment:

15 (a) That operates temporarily at a specific location in connection with multiple public gath-  
16 erings, entertainment events, food product promotions or other events, at least two of which are  
17 arranged for by different oversight organizations; and

18 (b) Where food is prepared or served for consumption by the public.

19 (5) "Limited service restaurant" means a restaurant serving only individually portioned pre-  
20 packaged foods prepared from an approved source by a commercial processor and nonperishable  
21 beverages.

22 (6) "Operational review" means the examination of a plan of operation for an establishment in  
23 order to ensure that the proposed operation conforms with applicable sanitation standards.

24 (7) "Oversight organization" means an entity responsible for organizing, managing or otherwise  
25 arranging for a public gathering, entertainment event, food product promotion or other event, in-  
26 cluding but not limited to ensuring the availability of water, sewer and sanitation services.

27 (8) "Restaurant," except as provided in subsection (9) of this section, means an establishment:

28 (a) Where food or drink is prepared for consumption by the public;

29 (b) Where the public obtains food or drink so prepared in form or quantity consumable then and  
30 there, whether or not it is consumed within the confines of the premises where prepared; or

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (c) That prepares food or drink in consumable form for service outside the premises where pre-  
2 pared.

3 (9) "Restaurant" does not mean a railroad dining car, bed and breakfast facility, intermittent  
4 temporary restaurant, seasonal temporary restaurant or single-event temporary restaurant.

5 (10) "Seasonal temporary restaurant" means an establishment:

6 (a) That operates at a specific location in connection with multiple public gatherings, enter-  
7 tainment events, food product promotions or other events that are arranged for by the same over-  
8 sight organization; and

9 (b) Where food is prepared or served for consumption by the public.

10 (11) "Single-event temporary restaurant" means an establishment:

11 (a) That operates in connection with a single public gathering, entertainment event, food prod-  
12 uct promotion or other event; and

13 (b) Where food is prepared or served for consumption by the public.

14 **SECTION 2. The amendments to ORS 624.010 by section 1 of this 2013 Act become oper-**  
15 **ative January 1, 2014.**

16 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**  
17 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
18 **on its passage.**