

Enrolled Senate Bill 631

Sponsored by Senator SHIELDS, Representative GREENLICK; Senators KNOPP, MONNES ANDERSON, STEINER HAYWARD, Representatives CLEM, KENNEMER, LIVELY, THOMPSON

CHAPTER

AN ACT

Relating to governmental facilities that provide food service; amending ORS 624.010.

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

SECTION 1. ORS 624.010 is amended to read:

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

- (1) "Authority" means the Oregon Health Authority.
- (2) "Bed and breakfast facility" means any establishment located in a structure designed for a single family residence and structures appurtenant thereto, regardless of whether the owner or operator of the establishment resides in any of the structures, that:
 - (a) Has more than two rooms for rent on a daily basis to the public; and
 - (b) Offers a breakfast meal as part of the cost of the room.
- (3) "Director" means the Director of the Oregon Health Authority.
- (4) "Intermittent temporary restaurant" means an establishment:
 - (a) That operates temporarily at a specific location in connection with multiple public gatherings, entertainment events, food product promotions or other events, at least two of which are arranged for by different oversight organizations; and
 - (b) Where food is prepared or served for consumption by the public.
- (5) "Limited service restaurant" means a restaurant serving only individually portioned pre-packaged foods prepared from an approved source by a commercial processor and nonperishable beverages.
- (6) "Operational review" means the examination of a plan of operation for an establishment in order to ensure that the proposed operation conforms with applicable sanitation standards.
- (7) "Oversight organization" means an entity responsible for organizing, managing or otherwise arranging for a public gathering, entertainment event, food product promotion or other event, including but not limited to ensuring the availability of water, sewer and sanitation services.
- (8) "**Person**" means a person as defined in ORS 174.100, a public body as defined in ORS 174.109, the Oregon Health and Science University or the Oregon State Bar.
- [(8)] (9) "Restaurant," except as provided in subsection (9) of this section, means an establishment:
 - (a) Where food or drink is prepared for consumption by the public;
 - (b) Where the public obtains food or drink so prepared in form or quantity consumable then and there, whether or not it is consumed within the confines of the premises where prepared; or

(c) That prepares food or drink in consumable form for service outside the premises where prepared.

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

[(10)] (11) "Seasonal temporary restaurant" means an establishment:

(a) That operates at a specific location in connection with multiple public gatherings, entertainment events, food product promotions or other events that are arranged for by the same oversight organization; and

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

[(11)] (12) "Single-event temporary restaurant" means an establishment:

(a) That operates in connection with a single public gathering, entertainment event, food product promotion or other event; and

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

Passed by Senate March 12, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 22, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State