

By: Broomfield, Blackmon, Coleman (29th),
Ellis, Young

To: Public Health and
Welfare

HOUSE BILL NO. 206

1 AN ACT TO REQUIRE PERSONS IN FOOD SERVICE OCCUPATIONS WHO
2 PREPARE, HANDLE, OR TOUCH FOOD DIRECTLY WITH THEIR HANDS TO WEAR
3 GLOVES; TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS OF
4 THIS ACT; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. (1) Any person engaged in a food service
7 occupation who prepares, handles, or serves food and, in carrying
8 out those duties, must touch food directly with his or her hands
9 shall wear protective gloves for the purpose of preventing the
10 possible transfer of human communicable diseases. This
11 requirement shall not apply to those persons in food service
12 occupations who prepare, handle, or serve food with spoons,
13 ladles, or other food service utensils and do not touch food
14 directly with their hands.

15 (2) It shall be unlawful for any person engaged in a food
16 service occupation who prepares, handles, or serves food to touch
17 food directly with his or her hands without wearing protective
18 gloves. It shall be unlawful for an employer to allow any person
19 engaged in a food service occupation who prepares, handles or
20 serves food to touch food directly with his or her hands without
21 wearing protective gloves. A violation of this section is a
22 misdemeanor punishable by confinement in the county jail for not

23 more than thirty (30) days or by a fine of not more than One
24 Hundred Dollars (\$100.00), or both.

25 (3) A corporate entity that is found to be in violation of
26 the provisions of subsection (2) of this section shall be liable
27 for a civil penalty of not more than One Thousand Dollars
28 (\$1,000.00) and all costs incurred in the investigation and
29 prosecution of charges brought under this section.

30 (4) The imposition of a civil penalty under subsection (3)
31 of this section shall not be construed to bar prosecution of a
32 person under subsection (2) of this section regardless of whether
33 the person is an officer, agent, or employee of the corporate
34 entity.

35 SECTION 2. This act shall take effect and be in force from
36 and after July 1, 2000.