

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 5017

BY DELEGATES DITTMAN, TULLY, PETITTO, YOUNG, KUMP, AND HORNBUCKLE

[Passed March 7, 2024; in effect ninety days from passage.]

1 AN ACT to amend and reenact §16-2-18 of the Code of West Virginia, 1931, as amended, relating
2 to statewide permits for mobile food service establishment.

Be it enacted by the Legislature of West Virginia:

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 2. LOCAL BOARDS OF HEALTH.

§16-2-18. In-state food service statewide permit.

1 (a) A local or county health department shall issue a mobile food establishment statewide
2 permit to a mobile food service establishment that is operating within the State of West Virginia.
3 The permit will be issued from the vendor's county of residence local or county health department.
4 The mobile food establishment statewide permit shall be valid for the fiscal year in which the
5 permit is issued and regardless of the number of days for which the vendor requires the mobile
6 food establishment.

7 (b) No local or county health department within the state may charge an additional fee to
8 any in-state vendor that has received a mobile food establishment statewide permit but may place
9 conditions upon an issued permit to assure compliance with that health department's rules and
10 standards for the type of permit being issued. Each vendor must provide notice to the local health
11 department with jurisdiction at least 72 hours prior to operating within the jurisdiction. A mobile
12 food establishment, in compliance with rules of the issuing local or county health department, is
13 deemed in compliance in all other counties. The permit shall be visibly posted while the mobile
14 food establishment is operational.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor