

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2273

Introduced by

Senators Krebsbach, Tallackson

Representatives Byerly, Maragos

1 A BILL for an Act to create and enact a new section to chapter 23-09.2 of the North Dakota
2 Century Code, relating to food preparation by nonprofit public-spirited organizations; to amend
3 and reenact section 23-09.2-01 of the North Dakota Century Code, relating to definitions; and to
4 repeal section 1 of chapter 316 of the 1989 Session Laws, relating to food preparation by
5 nonprofit public-spirited organizations.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Section 23-09.2-01 of the 1995 Supplement to the North
8 Dakota Century Code is amended and reenacted as follows:

9 **23-09.2-01. Definitions.** As used in this chapter, unless the context otherwise
10 requires:

- 11 1. "Department" means the state department of health.
- 12 2. "Food preparer" means any person who manufactures, processes, sells, handles,
13 or stores food and who is not required to obtain a license from the department
14 under chapter 19-02.1, 23-09, or 23-09.1.
- 15 3. "Not regularly engaged" means no more than once per month.
- 16 4. Any term used in this chapter has the same meaning as when used in a
17 comparable context in chapters 19-02.1, 23-09, and 23-09.1.

18 **SECTION 2.** A new section to chapter 23-09.2 of the North Dakota Century Code is
19 created and enacted as follows:

20 **Nonprofit organizations.** A nonprofit public-spirited organization not regularly
21 engaged in the business of preparing and selling food is not required to prepare food in a
22 licensed and inspected kitchen. The department may offer educational support to food
23 preparers and inform food preparers of the potential liability for distribution of unsafe food
24 products.

1 **SECTION 3. REPEAL.** Section 1 of chapter 316 of the 1989 Session Laws is repealed.