

House Bill 736

By: Representatives Williams of the 145th, Harrell of the 106th, Holcomb of the 81st, Buckner of the 137th, and Belton of the 112th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to food service establishments, so as to provide that the facilitator of pop-up
3 restaurant services may obtain a permit for certain locations for the operation of pop-up
4 restaurants; to define certain terms; to provide that a participating restaurant shall not be
5 required to obtain a separate license to provide such services at such locations; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 13 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to
10 food service establishments, is amended by adding a new Code section to read as follows:

11 "26-2-371.1.

12 (a) As used in this Code section, the term:

13 (1) 'Client building' means a business or residential building in which the owner or
14 manager wishes to provide pop-up restaurant services.

15 (2) 'Facilitator' means a person or organization who, for a fee, contracts with owners or
16 managers of client buildings on the one hand and licensed restaurants on the other hand
17 to provide pop-up restaurant services in client buildings.

18 (3) 'Pop-up restaurant services' means the provision of temporary sale or service of food
19 items prepared by a restaurant in its licensed establishment and served in a client
20 building.

21 (b) A facilitator may make written application to the county board of health in the
22 jurisdiction in which the client building is located for a permit to provide pop-up restaurant
23 services at such location. Such permit shall be of one year's duration, shall be specific to
24 the client building, and shall cover pop-up restaurant services at the permitted location by

25 one or more restaurants, and no further permit to provide such services shall be required
26 from the restaurant.

27 (c) Pop-up restaurant services shall be of a duration not exceeding three hours of operation
28 per day and a frequency not exceeding two days per restaurant in any calendar week at any
29 one client building; provided, however, that a facilitator may schedule multiple restaurants
30 to provide pop-up restaurant services at a client building. All food shall be prepared at the
31 restaurant's licensed establishment and transported to the client building in department
32 approved containers for serving. Any unsold food must be donated or disposed of at the
33 end of service. Restaurants shall ensure that employees have access to handwashing
34 facilities at all times.

35 (d) Restaurants providing pop-up restaurant services shall comply with rules and
36 regulations applicable to catering services with regard to the transportation and handling
37 of food.

38 **SECTION 2.**

39 All laws and parts of laws in conflict with this Act are repealed.