

SENATE BILL NO. 1546

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on \_\_\_\_\_)

(Patron Prior to Substitute--Senator Ebbin)

A BILL to amend and reenact § 35.1-1 of the Code of Virginia, relating to Department of Health; restaurants; definition.

**Be it enacted by the General Assembly of Virginia:**

**1. That § 35.1-1 of the Code of Virginia is amended and reenacted as follows:**

**§ 35.1-1. Definitions.**

As used in this title, unless the context requires a different meaning:

"Bed-and-breakfast operation" means a residential-type establishment that provides (i) two or more rental accommodations for transient guests and food service to a maximum of 18 transient guests on any single day for five or more days in any calendar year or (ii) at least one rental accommodation for transient guests and food service to a maximum of 18 transient guests on any single day for 30 or more days in any calendar year.

"Board" or "State Board" means the State Board of Health.

"Campground" means any area, place, parcel, or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and facilities is granted gratuitously, or by rental fee, lease, or conditional sale, or by covenants, restrictions, and easements, including any travel trailer camp, recreation camp, family campground, camping resort, or camping community. "Campground" does not mean a summer camp, migrant labor camp, or park for manufactured homes as defined in this section and in §§ 32.1-203 and 36-85.3, or a construction camp, storage area for unoccupied camping units, or property upon which the

26 individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions,  
27 and conditions from providing his sanitary facilities within his property lines.

28 "Camping unit" means any device or vehicular type structure for use as temporary living quarters  
29 or shelter during periods of recreation, vacation, leisure time, or travel, including any tent, tent trailer,  
30 travel trailer, camping trailer, pickup camper, or motor home.

31 "Campsite" means any plot of ground within a campground used or intended for occupation by the  
32 camping unit.

33 "Certified food protection manager" means a person who has demonstrated proficiency in food  
34 safety issues, regulations, and techniques in maintaining a safe-food environment by passing a test and  
35 receiving a certification as part of a program that is accredited by the Board.

36 "Commissioner" means the State Health Commissioner.

37 "Department" means the State Department of Health.

38 "Hotel" means any place offering to the public for compensation transitory lodging or sleeping  
39 accommodations, overnight or otherwise, including facilities known by varying nomenclatures or  
40 designations as hotels, motels, travel lodges, tourist homes, or hostels.

41 "Person" means an individual, corporation, partnership, association, or any other legal entity.

42 "Restaurant" means:

43 1. Any place where food is prepared for service to the public on or off the premises, or any place  
44 where food is served, including lunchrooms, short order places, cafeterias, coffee shops, cafes, taverns,  
45 delicatessens, dining accommodations of public or private clubs, kitchen facilities of hospitals and nursing  
46 homes, dining accommodations of public and private schools and institutions of higher education, and  
47 kitchen areas of local correctional facilities subject to standards adopted under § 53.1-68.

48 2. Any place or operation that prepares or stores food for distribution to persons of the same  
49 business operation or of a related business operation for service to the public, including operations  
50 preparing or storing food for catering services, push cart operations, hotdog stands, and other mobile points  
51 of service.

