

1 SB142
2 202808-2
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 02-FEB-21

1 SB142

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4 ENROLLED, An Act,

5 Relating to self-service food vendors; to define
6 micro markets and vending machines; to exempt vending machines
7 and certain micro markets from the regulatory authority of the
8 Department of Public Health; and to authorize the Department
9 of Agriculture and Industries to regulate micro markets and
10 vending machines.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. For purposes of this act, the following
13 terms shall have the following meanings:

14 (a) MICRO MARKET. An unstaffed, self-checkout retail
15 food service facility that does all of the following:

16 (1) Includes one or more micro market displays.

17 (2) Has an automated payment kiosk or other device
18 designed to accept electronic payments that is operated by the
19 consumer.

20 (3) Is located indoors and within a separate
21 business.

22 (4) Is generally accessible only to individuals
23 within the building in which the food service facility is
24 located.

1 (b) MICRO MARKET DISPLAY. The place where the food
2 being sold by a micro market is displayed, including any of
3 the following:

4 (1) An open rack.

5 (2) A refrigerator, refrigerated cooler, or freezer
6 that has an automated self-locking feature that prevents a
7 consumer from accessing the food on the occurrence of any
8 condition that results in the failure of the refrigerator,
9 refrigerated cooler, or freezer.

10 (3) A vending machine.

11 (4) A beverage dispenser.

12 (5) A single-serve coffee brewer.

13 (c) VENDING MACHINE. A self-service machine that,
14 upon insertion of a coin, paper currency, token, card, or key,
15 or by optional manual operation, dispenses servings of food in
16 bulk or in packages, or prepared by the machine, without the
17 necessity of replenishing the machine between each vending
18 operation.

19 Section 2. Notwithstanding any provision of law to
20 the contrary, the regulatory authority provided to the
21 Department of Public Health shall not apply to the regulation
22 of a micro market or vending machine or to any food and
23 beverages sold by a micro market or vending machine as defined
24 in this act.

1 Section 3. Except as provided in Sections 11-51-98,
2 20-1-7, 21-1-41, and 40-12-176, Code of Alabama 1975, and as
3 otherwise provided by general and local law, the Department of
4 Agriculture and Industries shall regulate micro markets and
5 vending machines.

6 Section 4. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB142

Senate 02-MAR-21

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 06-MAY-21

By: Senator Whatley