

WORKING DRAFT

HOUSE BILL NO. _____

Food safety-license revocations.

Sponsored by: Joint Agriculture, Public Lands and Water
Resources Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming Food, Drug and Cosmetic
2 Safety Act; modifying proceedings for license revocations;
3 modifying reasons for license revocations; and providing
4 for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 35-7-126(a) (intro), by creating new
9 paragraphs (iv) through (vii), (b), (c) and (d) are amended
10 to read:

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12 **35-7-126. License revocation.**

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14 (a) ~~Proceedings for the~~ The regulatory authority may
15 initiate revocation ~~of~~ proceedings for an establishment

1 ~~license may be commenced by the filing of a written~~
2 ~~application with the Wyoming board of agriculture or a~~
3 ~~local board of health. The application shall be accompanied~~
4 ~~by an affidavit of the director stating:~~

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6 (iv) For failure to correct conditions for which
7 a summary suspension was issued;

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9 (v) For failure to correct critical violations
10 from a routine inspection;

11
12 (vi) For multiple violations on multiple
13 occasions;

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15 (vii) For a refusal to grant access pursuant to
16 W.S. 35-7-121.

17
18 (b) ~~Upon receipt of the application, the state board~~
19 ~~of agriculture or local board of health~~ The regulatory
20 authority shall issue notice of a hearing to the license
21 holder. The notice and the hearing shall be governed by
22 the provisions of the Wyoming Administrative Procedure Act,
23 W.S. 16-3-101 et seq.

24

1 (c) ~~If,~~ Upon completion of the hearing and
2 consideration of the record, the ~~board finds that the~~
3 ~~conditions present at the facility pose an imminent health~~
4 ~~hazard the board~~ regulatory authority shall issue an order
5 ~~of license revocation~~ which shall include findings of fact
6 and conclusions of law., ~~and finding of actions necessary~~
7 ~~to cure the causes leading to the revocation.~~

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9 (d) The decision of the ~~board~~ regulatory authority
10 may be appealed to the district court pursuant to the
11 Wyoming Administrative Procedure Act, W.S. 16-3-101 et seq.

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13 **Section 2.** W.S. 35-7-126(a) (i) through (iii) are
14 repealed.

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16 **Section 3.** This act is effective July 1, 2003.

17
18 (END)