

May 5, 2025
2025-1913-EBA
05/08

Enrolled Bill Amendment to HB 307

The Committee on Enrolled Bills to which was referred HB 307

AN ACT relative to the food production area for homestead food.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 307

This enrolled bill amendment inserts contingencies to incorporate the text of HB 150 and HB 304 of the 2025 general legislative session.

Enrolled Bill Amendment to HB 307

Amend the bill by replacing all after section 2 with the following:

3 Homestead Food Operation; Definition; Text of HB 150 Incorporated. RSA143-A:12, I(a) is repealed and reenacted to read as follows:

(a) "Homestead food operation" means a person who produces homestead food products, excluding potentially hazardous food, only in the home kitchen of that person's primary residence in New Hampshire or a food production area in the person's primary residence that has handwashing, equipment and food storage, food contact surfaces, general sanitation, and pet exclusion areas.

(1) As used in this subparagraph:

(A) "Handwashing" means an area with access to a hand cleaning station with hot and cold running potable water, soap, and sanitary hand drying provisions.

(B) "Equipment and food storage" means an area that allows for food, equipment, and utensils to be stored in a manner that prevents contamination.

(C) "Food contact surfaces" means all food contact surfaces in an area able to be cleaned and sanitized.

(D) "General sanitation" means an area maintained in a clean and sanitary condition, free from pests and environmental contaminants, whose floors, walls, and ceiling surfaces are durable, smooth and easily cleanable.

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(E) "Pet exclusion" means an area that allows for the exclusion of pets during food production.

(2) A homestead food operation may use commercial kitchen equipment so long as the equipment is able to be cleaned and sanitized in the processing area. For purposes of this subparagraph, "commercial kitchen equipment" means the specialized tools and appliances used in professional kitchens to prepare, cook, and store food and that can withstand heavy use and high-volume cooking.

4 Homestead Food License; Text of HB 304 Incorporated. Amend RSA 143-A:12, IV(c)(2) to read as follows:

(2) Products made by nonexempt homestead food operations shall also be clearly labeled with the following statement: "This product is made in a residential [~~kitchen~~] **food production area** licensed by the New Hampshire Department of Health and Human Services."

5 Contingency.

I. If HB 150 of the 2025 general legislative session becomes law, section 1 of this act shall not take effect and section 3 of this act shall take effect at 12:01 a.m. of the later occurring of either the effective date of HB 150 or 60 days after the passage of this act. If HB 150 does not become law, section 1 of this act shall take effect 60 days after its passage and section 3 of this act shall not take effect.

II. If HB 304 of the 2025 general legislative session becomes law, section 2 of this act shall not take effect and section 4 of this act shall take effect at 12:01 a.m. of the later occurring of either the effective date of HB 304 or 60 days after the passage date of this act. If HB 304 does not become law, section 2 of this act shall take effect 60 days after its passage and section 4 of this act shall not take effect.

6 Effective Date.

I. Sections 1 and 3 of this act shall take effect as provided in section 5, paragraph I of this act.

II. Sections 2 and 4 of this act shall take effect as provided in section 5, paragraph II of this act.

III. The remainder of this act shall take effect 60 days after its passage.