



Rep. Sonya M. Harper

Filed: 4/15/2024

10300HB5052ham001

LRB103 37928 BDA 71933 a

1 AMENDMENT TO HOUSE BILL 5052

2 AMENDMENT NO. _____. Amend House Bill 5052 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.1015 as follows:

6 (30 ILCS 105/5.1015 new)

7 Sec. 5.1015. The Good Food Purchasing Fund.

8 Section 10. The Local Food, Farms, and Jobs Act is amended
9 by changing Sections 1 and 5 and by adding Sections 12, 35, and
10 40 as follows:

11 (30 ILCS 595/1)

12 Sec. 1. Short title; references to Act.

13 (a) Short title. This Act may be cited as the "Local Food,
14 Farms, and Jobs Act".

1 (b) References to Act. This Act may be referred to as the
2 Good Food Purchasing Law.

3 (Source: P.A. 96-579, eff. 8-18-09.)

4 (30 ILCS 595/5)

5 Sec. 5. Definitions. In this Act: ~~"Local farm or food~~
6 ~~products" are products: (1) grown in Illinois; or (2)~~
7 ~~processed and packaged in Illinois, using at least one~~
8 ~~ingredient grown in Illinois.~~

9 "Good Food Purchasing Program core values" means Good Food
10 Purchasing Program procurement criteria based on all of the
11 following:

12 (1) Prioritizing local suppliers, especially small or
13 mid-sized farms, food manufacturers, or food businesses
14 that are privately or cooperatively operated or operated
15 as a not-for-profit within (i) a 250-mile radius for food
16 other than meat, poultry, or seafood or (ii) a 500-mile
17 radius for meat, poultry, or seafood, prioritizing
18 suppliers that are entrepreneurs of color and community
19 members most impacted by current and historic economic
20 marginalization, leveraging institutional buying power,
21 infrastructure, financial resources, staff time, and land
22 in support of community members, food producers, and food
23 workers who have experienced negative systemic social or
24 economic impact, building partnerships with community
25 members to ensure that food products and menus reflect the

1 interests and cultures of everyone they serve, and
2 identifying pathways for purchasing from small and
3 community-based suppliers for products that cannot be
4 grown or harvested within the mileage limitations, such as
5 seafood, coffee, cocoa, and sugar.

6 (2) Prioritizing suppliers that consider: (i)
7 community health and universal rights to clean air and
8 water; (ii) reduction or elimination of synthetic
9 pesticides and fertilizers; (iii) improved soil health and
10 carbon sequestration; (iv) reduced fossil fuel energy
11 inputs and protection of water resources; (v) biodiversity
12 and ecological resilience; (vi) food waste reduction;
13 (vii) greenhouse gas emission reduction; and (viii)
14 reduction or elimination of single-use plastics and other
15 resource-intensive packaging and reducing carbon and water
16 footprint of food purchases.

17 (3) Sourcing from producers and vendors that (i)
18 comply with labor laws, including minimum wage laws,
19 through contractual requirements and enforcement, (ii)
20 honor the right to freedom of association, (iii) provide
21 workers with the ability to organize a union and to
22 bargain collectively, free from reprisal, for livable
23 wages and safe and healthy working conditions, (iv) uphold
24 and implement workers' rights principles, and (v)
25 implement cooperative ownership, democratic
26 decision-making, and migrant, racial, and gender justice.

1 (4) Sourcing from farms and ranches that provide
2 healthy and humane conditions for farm animals throughout
3 their lives through (i) nutrition, (ii) physical
4 environment, (iii) health, (iv) behavioral interaction,
5 and (v) mental or affective state.

6 (5) Promoting community health, nutrition, equitable
7 access, and food sovereignty by prioritizing high-quality
8 and culturally relevant whole or minimally processed
9 foods, including vegetables, fruit, and whole grains, and
10 plant-forward meals. Preservation methods such as canning
11 and bottling using oils, sugar, or salt are not permitted.

12 (6) In general, prioritizing products certified under
13 certifications currently endorsed by the Center for Good
14 Food Purchasing.

15 "Good Food Purchasing Program equity, accountability, and
16 transparency" means:

17 (1) Having or developing a supplier or vendor
18 diversification plan with goals that include reporting and
19 accountability measures. Measures should be disaggregated
20 by demographic group, including race and gender.

21 (2) Planning implementation should prioritize
22 purchases and address barriers to entry for suppliers who
23 have experienced negative systemic social or economic
24 impacts, including, but not limited to, women, veterans,
25 persons with disabilities, and especially people of color,
26 across all supply chains and to the greatest extent

1 possible.

2 (3) Sharing purchasing data, assessments, purchasing
3 targets, or implementation plans in a publicly accessible
4 location including online with community members to
5 facilitate engagement and transparency.

6 (4) Engaging with community members, including, but
7 not limited to, people served by meal programs, food
8 service workers, constituents, and local food businesses,
9 in informing values-based purchasing decisions and
10 processes.

11 (5) Developing and implementing comprehensive
12 institutional policies that reflect community needs and
13 values and prioritize transparency, racial equity, local
14 economies, environmental sustainability, valued
15 workforce, animal welfare, and community health and
16 nutrition within their operations and food procurement.

17 (6) Ensuring that institutional policies are embedded
18 in agreements for contracted food services and that
19 mechanisms are developed to ensure compliance and
20 accountability through reporting and active contract
21 management.

22 "Minimally processed foods" means foods that are unaltered
23 or slightly altered from the food's natural state through such
24 processes as removal of inedible or unwanted parts, drying,
25 powdering, squeezing, crushing, grinding, fractioning,
26 steaming, poaching, boiling, roasting, pasteurization,

1 chilling, freezing, placing in containers, vacuum packaging,
2 nonalcoholic fermentation, and other methods that do not add
3 to the original food, salt, sugar, oils or fats, or food
4 substances, other than additives that prolong product
5 duration, protect original properties, or prevent
6 proliferation of microorganisms. "Minimally processed foods"
7 include, but are not limited to, whole grains or flours; fresh
8 or frozen fruits and vegetables; meat, poultry, fish, and
9 seafood, whole or in the form of steaks, fillets, and other
10 cuts; fresh or pasteurized milk, eggs, fresh or pasteurized
11 plain yogurt, legumes, and nuts and seeds. "Minimally
12 processed foods" also includes foods made of 2 or more items in
13 this group, such as dried mixed fruits, and foods with
14 vitamins and minerals generally added to replace nutrients
15 lost during minimal processing, such as flour fortified with
16 iron and folic acid.

17 (Source: P.A. 101-258, eff. 1-1-20.)

18 (30 ILCS 595/12 new)

19 Sec. 12. Good Food Purchasing Program.

20 (a) No later than one year after the effective date of this
21 amendatory Act of the 103rd General Assembly, each State
22 agency and State-owned facility that purchases food,
23 including, without limitation, facilities for persons with
24 mental health and developmental disabilities, correctional
25 facilities, and public institutions of higher education,

1 including community colleges, shall have a timely plan for
2 undergoing a Good Food Purchasing Program baseline assessment
3 conducted by the Center for Good Food Purchasing, to determine
4 current alignment with Good Food Purchasing Program core
5 values and Good Food Purchasing Program equity, transparency,
6 and accountability and how better to meet the Good Food
7 Purchasing Program core values and Good Food Purchasing
8 Program equity, transparency, and accountability.

9 (b) No later than one year after completion of the
10 baseline assessment under subsection (a), each State agency
11 and State-owned facility shall develop and adopt a multi-year
12 action plan with benchmarks to align food purchasing processes
13 with Good Food Purchasing Program equity, transparency, and
14 accountability and food purchases with Good Food Purchasing
15 Program core values.

16 (c) The year after completing the multi-year action plan
17 and each year thereafter, each State agency and State-owned
18 facility shall undergo a Good Food Purchasing Program
19 assessment and update its multi-year action plan to annually
20 increase the procurement of food that meets the Good Food
21 Purchasing Program core values and Good Food Purchasing
22 Program equity, transparency, and accountability.

23 (d) To meet the goals set forth in this Section, when a
24 State contract for purchase of food is to be awarded to the
25 lowest responsible bidder or proposer, an otherwise qualified
26 bidder or proposer who will fulfill the contract through the

1 use of food that aligns with Good Food Purchasing Program core
2 values may be given preference over other bidders or
3 proposers.

4 (e) To facilitate reporting required under this Section,
5 all State agencies and State-owned facilities that purchase
6 food shall include in all invitations for bids, requests for
7 proposals, and contracts a requirement for vendor
8 data-sharing, including, but not limited to, product types,
9 quantities, sizes, prices, origin, processors, and
10 distributors.

11 (f) On each January 1 following adoption of a multi-year
12 action plan, each State agency and State-owned facility that
13 purchases food shall publish in its procurement bulletin and
14 on its website notice of its purchases of food in the
15 immediately preceding fiscal year, its Good Food Purchasing
16 Program baseline and annual assessments, and its multi-year
17 action plan.

18 (g) Under the procedures laid out in subsection (h) of
19 Section 5-5 of the Illinois Procurement Code, the Procurement
20 Policy Board may review a proposal, bid, or contract and issue
21 a recommendation to void a contract or reject a proposal or bid
22 based on a vendor, proposer, or bidder's current violation or
23 history of violation of federal, State, or local law,
24 including, but not limited to, Federal labor laws under Title
25 29 of the United States Code and the Minimum Wage Law.

1 (30 ILCS 595/35 new)

2 Sec. 35. Good Food Purchasing Task Force.

3 (a) The Good Food Purchasing Task Force created by House
4 Joint Resolution 33 adopted in the 102nd General Assembly is
5 reestablished and shall continue with its study of current
6 procurement of food within the State and to explore how good
7 food purchasing can be implemented to maximize the procurement
8 of healthy foods that are sustainably, locally, and equitably
9 sourced.

10 (b) Any action taken in reliance on House Joint Resolution
11 33 of the 102nd General Assembly after January 1, 2023 by any
12 person or entity is hereby validated.

13 (c) The Task Force shall consist of the following members,
14 who shall serve without compensation:

15 (1) the Lieutenant Governor or his or her designee;

16 (2) the Speaker of the House of Representatives or his
17 or her designee;

18 (3) the Minority Leader of the House of
19 Representatives or his or her designee;

20 (4) the Senate President or his or her designee;

21 (5) the Senate Minority Leader or his or her designee;

22 (6) one member nominated by a statewide local food
23 advocacy organization and appointed by the Lieutenant
24 Governor;

25 (7) one member nominated by a national multi-sector
26 food advocacy organization and appointed by the Lieutenant

1 Governor;

2 (8) one member nominated by a Chicago-based food
3 advocacy organization and appointed by the Lieutenant
4 Governor;

5 (9) one member nominated by a statewide environmental
6 advocacy organization and appointed by the Lieutenant
7 Governor;

8 (10) one member nominated by a statewide labor
9 organization that represents food workers and appointed by
10 the Lieutenant Governor;

11 (11) one member nominated by a national farm-animal
12 welfare organization and appointed by the Lieutenant
13 Governor;

14 (12) the Director of the Department of Commerce and
15 Economic Opportunity or his or her designee;

16 (13) the Director of the Environmental Protection
17 Agency or his or her designee;

18 (14) the Director of the Department of Public Health
19 or his or her designee;

20 (15) the Director of the Department of Natural
21 Resources or his or her designee;

22 (16) the Chief Procurement Officer for General
23 Services or his or her designee;

24 (17) the Chief Procurement Officer for Higher
25 Education or his or her designee;

26 (18) the Chief Procurement Officer for the Secretary

1 of State's Office or his or her designee;

2 (19) the Chief Procurement Officer for the Department
3 of Corrections or his or her designee;

4 (20) the Chief Procurement Officer for the Department
5 of Human Services or his or her designee;

6 (21) the Chief Procurement Officer for Central
7 Management Services or his or her designee;

8 (22) the Director of the Department of Agriculture or
9 his or her designee; and

10 (23) one member nominated by a statewide organization
11 that advocates for healthy nutrition and appointed by
12 Lieutenant Governor.

13 Members of the Task Force shall serve without
14 compensation. The Task Force members shall select a
15 chairperson at the first meeting of the Task Force. Any member
16 appointed under House Joint Resolution 33 of the 102nd General
17 Assembly who was a member of the Task Force at the end of the
18 102nd General Assembly shall continue to serve on the Task
19 Force until the appointed member resigns or is otherwise
20 removed from the Task Force.

21 (d) The Department of Agriculture shall provide
22 administrative support for the Task Force.

23 (e) The Task Force shall submit its interim report to the
24 Governor and General Assembly no later than July 1, 2025 and
25 its final report to the Governor and General Assembly no later
26 than July 1, 2026. Following submission of the final report,

1 the Task Force shall continue to meet to monitor and support
2 implementation of this Act.

3 (30 ILCS 595/40 new)

4 Sec. 40. Good Food Purchasing Fund. The Good Food
5 Purchasing Fund is established as a special fund in the State
6 treasury. Interest earned by the Good Food Purchasing Fund
7 shall be credited to the fund. Moneys in the fund are
8 continuously appropriated to the Department of Agriculture to
9 administer this Act, including by creating a Good Food
10 Purchasing office within the Department, hiring staff, and
11 providing training and technical assistance to State agencies
12 and State-owned facilities that purchase food. The Department
13 shall be permitted to accept federal government, local
14 government, and private resources at any time to implement
15 this Act.

16 (30 ILCS 595/10 rep.)

17 Section 15. The Local Food, Farms, and Jobs Act is amended
18 by repealing Section 10.

19 Section 20. The Food Handling Regulation Enforcement Act
20 is amended by changing Section 4 as follows:

21 (410 ILCS 625/4)

22 Sec. 4. Cottage food operation.

1 (a) For the purpose of this Section:

2 A food is "acidified" if: (i) acid or acid ingredients are
3 added to it to produce a final equilibrium pH of 4.6 or below;
4 or (ii) it is fermented to produce a final equilibrium pH of
5 4.6 or below.

6 "Canned food" means food that has been heat processed
7 sufficiently under United States Department of Agriculture
8 guidelines to enable storing the food at normal home
9 temperatures.

10 "Cottage food operation" means an operation conducted by a
11 person who produces or packages food or drink, other than
12 foods and drinks listed as prohibited in paragraph (1.5) of
13 subsection (b) of this Section, in a kitchen located in that
14 person's primary domestic residence or another appropriately
15 designed and equipped kitchen on a farm for direct sale by the
16 owner, a family member, or employee.

17 "Cut leafy greens" means fresh leafy greens whose leaves
18 have been cut, shredded, sliced, chopped, or torn. "Cut leafy
19 greens" does not mean cut-to-harvest leafy greens.

20 "Department" means the Department of Public Health.

21 "Equilibrium pH" means the final potential of hydrogen
22 measured in an acidified food after all the components of the
23 food have achieved the same acidity.

24 "Farmers' market" means a common facility or area where
25 farmers gather to sell a variety of fresh fruits and
26 vegetables and other locally produced farm and food products

1 directly to consumers.

2 "Leafy greens" includes iceberg lettuce; romaine lettuce;
3 leaf lettuce; butter lettuce; baby leaf lettuce, such as
4 immature lettuce or leafy greens; escarole; endive; spring
5 mix; spinach; cabbage; kale; arugula; and chard. "Leafy
6 greens" does not include microgreens or herbs such as cilantro
7 or parsley.

8 "Local health department" means a State-certified health
9 department of a unit of local government in which a cottage
10 food operation is located.

11 "Local public health department association" means an
12 association solely representing 2 or more State-certified
13 local health departments.

14 "Low-acid canned food" means any canned food with a
15 finished equilibrium pH greater than 4.6 and a water activity
16 (aw) greater than 0.85.

17 "Microgreen" means an edible plant seedling grown in soil
18 or substrate and harvested above the soil or substrate line.

19 "Potentially hazardous food" means a food that is
20 potentially hazardous according to the Department's
21 administrative rules. Potentially hazardous food (PHF) in
22 general means a food that requires time and temperature
23 control for safety (TCS) to limit pathogenic microorganism
24 growth or toxin formation.

25 "Sprout" means any seedling intended for human consumption
26 that was produced in a manner that does not meet the definition

1 of microgreen.

2 (b) A cottage food operation may produce homemade food and
3 drink provided that all of the following conditions are met:

4 (1) (Blank).

5 (1.3) A cottage food operation must register with the
6 local health department for the unit of local government
7 in which it is located, but may sell products outside of
8 the unit of local government where the cottage food
9 operation is located. A copy of the certificate of
10 registration must be available upon request by any local
11 health department.

12 (1.5) A cottage food operation shall not sell or offer
13 to sell the following food items or processed foods
14 containing the following food items, except as indicated:

15 (A) meat, poultry, fish, seafood, or shellfish;

16 (B) dairy, except as an ingredient in a
17 non-potentially hazardous baked good or candy, such as
18 caramel, subject to paragraph (4), or as an ingredient
19 in a baked good frosting, such as buttercream;

20 (C) eggs, except as an ingredient in a
21 non-potentially hazardous food, including dry noodles,
22 or as an ingredient in a baked good frosting, such as
23 buttercream, if the eggs are not raw;

24 (D) pumpkin pies, sweet potato pies, cheesecakes,
25 custard pies, creme pies, and pastries with
26 potentially hazardous fillings or toppings;

1 (E) garlic in oil or oil infused with garlic,
2 except if the garlic oil is acidified;

3 (F) low-acid canned foods;

4 (G) sprouts;

5 (H) cut leafy greens, except for cut leafy greens
6 that are dehydrated, acidified, or blanched and
7 frozen;

8 (I) cut or pureed fresh tomato or melon;

9 (J) dehydrated tomato or melon;

10 (K) frozen cut melon;

11 (L) wild-harvested, non-cultivated mushrooms;

12 (M) alcoholic beverages; or

13 (N) kombucha.

14 (1.6) In order to sell canned tomatoes or a canned
15 product containing tomatoes, a cottage food operator shall
16 either:

17 (A) follow exactly a recipe that has been tested
18 by the United States Department of Agriculture or by a
19 state cooperative extension located in this State or
20 any other state in the United States; or

21 (B) submit the recipe, at the cottage food
22 operator's expense, to a commercial laboratory
23 according to the commercial laboratory's directions to
24 test that the product has been adequately acidified;
25 use only the varietal or proportionate varietals of
26 tomato included in the tested recipe for all

1 subsequent batches of such recipe; and provide
2 documentation of the annual test results of the recipe
3 submitted under this subparagraph upon registration
4 and to an inspector upon request during any inspection
5 authorized by subsection (d).

6 (2) In order to sell a fermented or acidified food, a
7 cottage food operation shall either:

8 (A) submit a recipe that has been tested by the
9 United States Department of Agriculture or a
10 cooperative extension system located in this State or
11 any other state in the United States; or

12 (B) submit a written food safety plan for each
13 category of products for which the cottage food
14 operator uses the same procedures, such as pickles,
15 kimchi, or hot sauce, and a pH test for a single
16 product that is representative of that category; the
17 written food safety plan shall be submitted annually
18 upon registration and each pH test shall be submitted
19 every 3 years; the food safety plan shall adhere to
20 guidelines developed by the Department.

21 (3) A fermented or acidified food shall be packaged
22 according to one of the following standards:

23 (A) A fermented or acidified food that is canned
24 must be processed in a boiling water bath in a
25 Mason-style jar or glass container with a
26 tight-fitting lid.

1 (B) A fermented or acidified food that is not
2 canned shall be sold in any container that is new,
3 clean, and seals properly and must be stored,
4 transported, and sold at or below 41 degrees.

5 (4) In order to sell a baked good with cheese, a local
6 health department may require a cottage food operation to
7 submit a recipe, at the cottage food operator's expense,
8 to a commercial laboratory to verify that it is
9 non-potentially hazardous before allowing the cottage food
10 operation to sell the baked good as a cottage food.

11 (5) For a cottage food operation that does not utilize
12 a municipal water supply, such as an operation using a
13 private well, a local health department may require a
14 water sample test to verify that the water source being
15 used meets public safety standards related to E. coli
16 coliform. If a test is requested, it must be conducted at
17 the cottage food operator's expense.

18 (6) A person preparing or packaging a product as part
19 of a cottage food operation must be a Department-approved
20 certified food protection manager.

21 (7) Food packaging must conform with the labeling
22 requirements of the Illinois Food, Drug and Cosmetic Act.
23 A cottage food product shall be prepackaged and the food
24 packaging shall be affixed with a prominent label that
25 includes the following:

26 (A) the name of the cottage food operation and

1 unit of local government in which the cottage food
2 operation is located;

3 (B) the identifying registration number provided
4 by the local health department on the certificate of
5 registration and the name of the municipality or
6 county in which the registration was filed;

7 (C) the common or usual name of the food product;

8 (D) all ingredients of the food product, including
9 any color, artificial flavor, and preservative, listed
10 in descending order by predominance of weight shown
11 with the common or usual names;

12 (E) the following phrase in prominent lettering:
13 "This product was produced in a home kitchen not
14 inspected by a health department that may also process
15 common food allergens. If you have safety concerns,
16 contact your local health department.";

17 (F) the date the product was processed; and

18 (G) allergen labeling as specified under federal
19 labeling requirements.

20 (8) Food packaging may include the designation
21 "Illinois-grown", "Illinois-sourced", or "Illinois farm
22 product" if the packaged product is (1) grown in Illinois;
23 or (2) processed and packaged in Illinois, using at least
24 one ingredient grown in Illinois ~~a local farm or food~~
25 ~~product as that term is defined in Section 5 of the Local~~
26 ~~Food, Farms, and Jobs Act.~~

1 (9) In the case of a product that is difficult to
2 properly label or package, or for other reasons, the local
3 health department of the location where the product is
4 sold may grant permission to sell products that are not
5 prepackaged, in which case other prominent written notice
6 shall be provided to the purchaser.

7 (10) At the point of sale, notice must be provided in a
8 prominent location that states the following: "This
9 product was produced in a home kitchen not inspected by a
10 health department that may also process common food
11 allergens." At a physical display, notice shall be a
12 placard. Online, notice shall be a message on the cottage
13 food operation's online sales interface at the point of
14 sale.

15 (11) Food and drink produced by a cottage food
16 operation shall be sold directly to consumers for their
17 own consumption and not for resale. Sales directly to
18 consumers include, but are not limited to, sales at or
19 through:

20 (A) farmers' markets;

21 (B) fairs, festivals, public events, or online;

22 (C) pickup from the private home or farm of the
23 cottage food operator, if the pickup is not prohibited
24 by any law of the unit of local government that applies
25 equally to all cottage food operations; in a
26 municipality with a population of 1,000,000 or more, a

1 cottage food operator shall comply with any law of the
2 municipality that applies equally to all home-based
3 businesses;

4 (D) delivery to the customer; and

5 (E) pickup from a third-party private property
6 with the consent of the third-party property holder.

7 (12) Only food that is non-potentially hazardous may
8 be shipped. A cottage food product shall not be shipped
9 out of State. Each cottage food product that is shipped
10 must be sealed in a manner that reveals tampering,
11 including, but not limited to, a sticker or pop top.

12 (c) A local health department shall register any eligible
13 cottage food operation that meets the requirements of this
14 Section and shall issue a certificate of registration with an
15 identifying registration number to each registered cottage
16 food operation. A local health department may establish a
17 self-certification program for cottage food operators to
18 affirm compliance with applicable laws, rules, and
19 regulations. Registration shall be completed annually and the
20 local health department may impose a fee not to exceed \$50.

21 (d) In the event of a consumer complaint or foodborne
22 illness outbreak, upon notice from a different local health
23 department, or if the Department or a local health department
24 has reason to believe that an imminent health hazard exists or
25 that a cottage food operation's product has been found to be
26 misbranded, adulterated, or not in compliance with the

1 conditions for cottage food operations set forth in this
2 Section, the Department or the local health department may:

3 (1) inspect the premises of the cottage food operation
4 in question;

5 (2) set a reasonable fee for the inspection; and

6 (3) invoke penalties and the cessation of the sale of
7 cottage food products until it deems that the situation
8 has been addressed to the satisfaction of the Department
9 or local health department; if the situation is not
10 amenable to being addressed, the local health department
11 may revoke the cottage food operation's registration
12 following a process outlined by the local health
13 department.

14 (e) A local health department that receives a consumer
15 complaint or a report of foodborne illness related to a
16 cottage food operator in another jurisdiction shall refer the
17 complaint or report to the local health department where the
18 cottage food operator is registered.

19 (f) By January 1, 2022, the Department, in collaboration
20 with local public health department associations and other
21 stakeholder groups, shall write and issue administrative
22 guidance to local health departments on the following:

23 (1) development of a standard registration form,
24 including, if applicable, a written food safety plan;

25 (2) development of a Home-Certification Self Checklist
26 Form;

1 (3) development of a standard inspection form and
2 inspection procedures; and

3 (4) procedures for cottage food operation workspaces
4 that include, but are not limited to, cleaning products,
5 general sanitation, and requirements for functional
6 equipment.

7 (g) A person who produces or packages a non-potentially
8 hazardous baked good for sale by a religious, charitable, or
9 nonprofit organization for fundraising purposes is exempt from
10 the requirements of this Section.

11 (h) A home rule unit may not regulate cottage food
12 operations in a manner inconsistent with the regulation by the
13 State of cottage food operations under this Section. This
14 Section is a limitation under subsection (i) of Section 6 of
15 Article VII of the Illinois Constitution on the concurrent
16 exercise by home rule units of powers and functions exercised
17 by the State.

18 (i) The Department may adopt rules as may be necessary to
19 implement the provisions of this Section.

20 (Source: P.A. 101-81, eff. 7-12-19; 102-633, eff. 1-1-22.)".