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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 364**  
**136<sup>th</sup> General Assembly**

## Fiscal Note & Local Impact Statement

[Click here for H.B. 364's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsors:** Reps. Abdullahi and Young

**Local Impact Statement Procedure Required:** No

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### Highlights

- The Ohio Department of Health (ODH) may realize minimal costs to update rules to correspond with the bill's provisions.
- Local boards of health will realize minimal costs to update policies and materials, and to respond to any complaints related to the bill's requirement that food service operations include common food allergens on menus. They may also experience costs to provide staff training if necessary.

### Detailed Analysis

The bill requires a food service operation to denote on its menu or menu board the food items that contain common food allergens. In particular, the bill requires food service operations to denote food items containing milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, or soybeans. Current law defines a "food service operation" as a place, location, site, or separate area where food intended to be served in individual portions is prepared or served for a charge or required donation (e.g., restaurant, catering food service operation, food delivery sales operation, food trucks, etc.). With respect to a catering food service operation, the operation must inform its patrons, in a reasonable manner, of the food items that include those allergens.

The Ohio Department of Health (ODH) provides technical assistance regarding food safety operations to local boards of health. Local boards, in turn, are responsible for licensing and inspecting food service operations in their jurisdiction. As a result of the bill, ODH may realize costs to update rules in the State of Ohio Uniform Food Safety Code.<sup>1</sup> Local boards may realize

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<sup>1</sup> Ohio Administrative Code Chapter 3717-1.

minimal costs to update materials, such as updating licensing and inspection forms. Local boards may also realize costs to train staff and to investigate any complaints regarding the bill's provisions. Local boards charge fees for licensing food service operations that help cover administrative and regulatory costs.