

CHAPTER 150

(House Bill 129)

AN ACT concerning

Food Establishments – Employees with Communicable Diseases

FOR the purpose of altering, under certain circumstances, the prohibition against employers maintaining an individual on the staff of a food establishment if the person has or carries a communicable disease; altering, under certain circumstances, the prohibition against an individual who has or carries a communicable disease from working in a food establishment; providing for the termination of this Act; and generally relating to the prohibition against employees with communicable diseases in food establishments.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21-328

Annotated Code of Maryland

(1990 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

21-328.

(a) ~~{A} EXCEPT AS PROVIDED BY REGULATION,~~ A person may not knowingly employ any individual to work in any AREA OR CAPACITY IN A food establishment IN WHICH THERE IS A LIKELIHOOD OF TRANSMISSION OF DISEASE TO PATRONS OR OTHER EMPLOYEES OF THE FOOD ESTABLISHMENT if the individual employed:

- (1) Has a communicable disease that may be transmitted by food; or
- (2) Is a carrier of a communicable disease that may be transmitted by food.

(b) ~~{An} EXCEPT AS PROVIDED BY REGULATION,~~ AN individual may not knowingly work in any AREA OR CAPACITY IN A food establishment IN WHICH THERE IS A LIKELIHOOD OF TRANSMISSION OF DISEASE TO PATRONS OR OTHER EMPLOYEES OF THE FOOD ESTABLISHMENT if the individual:

- (1) Has a communicable disease that may be transmitted by food; or
- (2) Is a carrier of a communicable disease that may be transmitted by food.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991. It shall remain effective for a period of one year and, at the end of June 30, 1992, with no further action required by the General Assembly, this Act shall be