SYNOPSIS:

Under existing law, certain food products are not permitted to be manufactured or sold within this state.

This bill would prohibit the manufacture, sale, or distribution of food products produced from cultured animal cells within this state.

This bill would also provide criminal and administrative penalties for violations of this prohibition.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective.
because it comes within one of the specified exceptions contained in the section.

A BILL

TO BE ENTITLED

AN ACT

Relating to food products; to prohibit the manufacture, sale, or distribution of food products made from cultured animal cells in this state; to provide penalties for violations; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the term "cultivated food product" means any food product produced from cultured animal cells.

(b)(1) It shall be unlawful for any person to manufacture, sell, hold or offer for sale, or distribute any cultivated food product in this state.

(2) A violation of this subsection is a Class C misdemeanor.

(c)(1) A food sales establishment, as defined in Section 20-1-20, Code of Alabama 1975, that sells or distributes cultivated food products in violation of subsection (b) shall be subject to disciplinary action
pursuant to Section 20-1-34, Code of Alabama 1975.

(2) The food safety permit of a food sales establishment may be suspended or revoked as provided in Section 20-1-33, Code of Alabama 1975, upon the conviction of an owner or an employee of the establishment for a violation of subsection (b) in connection with the establishment.

(d)(1) A food establishment, as defined by rule of the Department of Public Health, that sells or distributes cultivated food products in violation of subsection (b) shall be subject to all enforcement measures as provided by rule of the Department of Public Health.

(2) The permit of a food establishment may be suspended or revoked as provided by rule of the Department of Public Health upon the conviction of an owner or an employee of the establishment for a violation of subsection (b) in connection with the establishment.

(e) The Department of Agriculture and Industries and the Department of Public Health may adopt rules as necessary to implement this section.

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Section 111.05 of the Constitution of Alabama of 2022, because the bill defines a new crime or amends the definition of an existing crime.

Section 3. This act shall become effective on October 1, 2024.