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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



29 because it comes within one of the specified exceptions
30 contained in the section.

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A BILL

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TO BE ENTITLED

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AN ACT

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37 Relating to food products; to prohibit the manufacture,
38 sale, or distribution of food products made from cultured
39 animal cells in this state; to provide penalties for
40 violations; and in connection therewith would have as its
41 purpose or effect the requirement of a new or increased
42 expenditure of local funds within the meaning of Section
43 111.05 of the Constitution of Alabama of 2022.

44

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

45

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

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

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

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



57 pursuant to Section 20-1-34, Code of Alabama 1975.

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

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

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

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

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

82 Section 3. This act shall become effective on October
83 1, 2024.