

ORIGINAL SENATE
FILE NO. 0007

ENROLLED ACT NO. 7, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2003 GENERAL SESSION

AN ACT relating to the Wyoming Food, Drug and Cosmetic Safety Act; modifying proceedings for license revocations; modifying reasons for license revocations; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-7-126(a)(intro), by creating new paragraphs (iv) through (vii) and (b) through (d) is amended to read:

35-7-126. License revocation.

(a) ~~Proceedings for~~ The regulatory authority may initiate revocation ~~of proceedings for~~ an establishment license: ~~may be commenced by the filing of a written application with the Wyoming board of agriculture or a local board of health. The application shall be accompanied by an affidavit of the director stating:~~

(iv) For failure to correct conditions for which a summary suspension was issued;

(v) For failure to correct critical violations from routine inspections;

(vi) For multiple critical violations on multiple occasions;

(vii) For a refusal to grant access pursuant to W.S. 35-7-121.

(b) ~~Upon receipt of the application, the state board of agriculture or local board of health~~ The regulatory authority shall issue notice of a hearing to the license

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holder. The notice and the hearing shall be governed by the provisions of the Wyoming Administrative Procedure Act, W.S. 16-3-101 et seq.

(c) ~~If,~~ Upon completion of the hearing and consideration of the record, the ~~board finds that the conditions present at the facility pose an imminent health hazard the board~~ regulatory authority shall issue an order ~~of license revocation~~ which shall include findings of fact and conclusions of law, ~~and finding of actions necessary to cure the causes leading to the revocation.~~

(d) The decision of the ~~board~~ regulatory authority may be appealed to the district court pursuant to the Wyoming Administrative Procedure Act, W.S. 16-3-101 et seq.

Section 2. W.S. 35-7-126(a)(i) through (iii) is repealed.

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Section 3. This act is effective July 1, 2003.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk