

By: Nelson

S.B. No. 344

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of an advisory committee to study the
3 acceptance at farmers markets of food stamps and benefits under the
4 women, infants, and children supplemental food program.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. ESTABLISHMENT OF ADVISORY COMMITTEE. (a) In
7 this Act:

8 (1) "Farmers market" means a location at which a group
9 of two or more farmers that are certified under the Department of
10 Agriculture's farmers market certification program offer produce
11 for retail sale.

12 (2) "Food stamp program" means the program operated
13 under 7 U.S.C. Chapter 51 and administered under Chapter 33, Human
14 Resources Code.

15 (3) "W.I.C. program" means the federal special
16 supplemental food program for women, infants, and children
17 administered by the Department of State Health Services.

18 (b) The executive commissioner of the Health and Human
19 Services Commission and the commissioner of the Department of
20 Agriculture shall jointly establish an advisory committee to study
21 and provide recommendations to the legislature regarding the
22 acceptance and use of food stamps and W.I.C. program benefits at
23 farmers markets in the state.

24 (c) The advisory committee consists of nine members

1 appointed as follows:

2 (1) the commissioner of the Department of Agriculture
3 shall appoint four representatives of farmers market vendors, with
4 two members representing urban farmers markets and two members
5 representing rural farmers markets or roadside stands; and

6 (2) the executive commissioner of the Health and Human
7 Services Commission shall appoint:

8 (A) two representatives of advocacy groups for
9 W.I.C. program recipients, such as charities or consumer groups;

10 (B) two representatives of advocacy groups for
11 food stamp recipients, such as charities or consumer groups; and

12 (C) one representative of staff at W.I.C. program
13 clinics.

14 (d) An advisory committee member is not entitled to
15 reimbursement of expenses or to compensation.

16 (e) The advisory committee shall meet within 30 days after
17 the date the initial appointments have been made and shall select a
18 presiding officer. The committee shall meet regularly as
19 necessary.

20 (f) The advisory committee shall:

21 (1) study the costs and benefits of allowing food
22 stamp and W.I.C. program participants to use program benefits at
23 farmers markets for the purchase of fresh, local produce;

24 (2) determine the feasibility and cost of providing
25 handheld scanners to farmers market vendors to accept electronic
26 benefits transfer (EBT) cards;

27 (3) determine methods of marketing and outreach to

1 farmers market vendors and food stamp and W.I.C. program
2 participants to encourage the use of food stamps and W.I.C. program
3 benefits to purchase fresh, local produce from farmers markets;

4 (4) study methods of funding the transition to farmers
5 market participation in the food stamp and W.I.C. programs,
6 including federal, state, and private funding; and

7 (5) perform other advisory duties as requested by the
8 executive commissioner of the Health and Human Services Commission
9 or the commissioner of the Department of Agriculture regarding the
10 acceptance of food stamps and W.I.C. program benefits at farmers
11 markets.

12 (g) The Department of Agriculture shall provide
13 administrative support, including staff, for the advisory
14 committee.

15 (h) Not later than September 1, 2010, the advisory committee
16 shall submit to the legislature a report outlining the costs,
17 benefits, and feasibility of providing food stamp and W.I.C.
18 program participants with the ability to use program benefits at
19 farmers markets to purchase fresh produce.

20 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,
21 Government Code, does not apply to the advisory committee
22 established under this Act.

23 SECTION 3. EXPIRATION. The advisory committee established
24 under this Act is abolished and this Act expires September 1, 2011.

25 SECTION 4. EFFECTIVE DATE. This Act takes effect
26 immediately if it receives a vote of two-thirds of all the members
27 elected to each house, as provided by Section 39, Article III, Texas

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1 Constitution. If this Act does not receive the vote necessary for
2 immediate effect, this Act takes effect September 1, 2009.