

BILL ANALYSIS

Senate Research Center

H.B. 217
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Education
5/15/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 217 amends current law relating to the types of beverages that may be sold to students on public school campuses.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 12.0021, Agriculture Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 12, Agriculture Code, by adding Section 12.0021, as follows:

Sec. 12.0021. BEVERAGES ALLOWED TO BE SOLD TO STUDENTS ON PUBLIC SCHOOL CAMPUSES. (a) Prohibits a public elementary, middle, or junior high school, except as provided by Subsection (b), from selling or allowing to be sold to a student on the school campus any type of beverage other than the following:

- (1) water without added sweetener;
- (2) milk with a fat content of one percent or less;
- (3) fluid milk substitutions permitted by the United States Department of Agriculture under 7 C.F.R. Section 210.10;
- (4) 100 percent vegetable juice; or
- (5) 100 percent fruit juice.

(b) Provides that Subsection (a) does not apply:

- (1) on a day that school is not in session;
- (2) before the beginning of the breakfast period;
- (3) after the end of the last instruction period of the day; or
- (4) to the sale of a beverage to a high school student on a school campus on which a high school is colocated with an elementary, middle, or junior high school.

(c) Authorizes the Texas Department of Agriculture to adopt rules as necessary to administer this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2013.