

AN ACT

relating to the types of beverages that may be sold to students on public school campuses.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.0021 to read as follows:

Sec. 12.0021. BEVERAGES ALLOWED TO BE SOLD TO STUDENTS ON PUBLIC SCHOOL CAMPUSES. (a) Except as provided by Subsection (b), a public elementary, middle, or junior high school may not sell or allow 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) 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

1 elementary, middle, or junior high school.

2 (c) The department may adopt rules as necessary to  
3 administer this section.

4 SECTION 2. This Act applies only to a contract entered into  
5 or renewed between a school district and a vendor on or after the  
6 effective date of this Act. A contract entered into or renewed  
7 before the effective date of this Act is governed by the law in  
8 effect immediately before the effective date of this Act, and that  
9 law is continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 217 was passed by the House on May 10, 2013, by the following vote: Yeas 95, Nays 44, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 217 was passed by the Senate on May 21, 2013, by the following vote: Yeas 19, Nays 11.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor