

1-1 By: Raymond (Senate Sponsor - Uresti) H.B. No. 3204
 1-2 (In the Senate - Received from the House May 11, 2017;
 1-3 May 16, 2017, read first time and referred to Committee on Health &
 1-4 Human Services; May 22, 2017, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 22, 2017, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to vendor requirements under the Special Supplemental
 1-20 Nutrition Program for Women, Infants, and Children (WIC).

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter D, Chapter 1001, Health and Safety
 1-23 Code, is amended by adding Section 1001.089 to read as follows:

1-24 Sec. 1001.089. VENDOR REQUIREMENTS FOR WOMEN, INFANTS, AND
 1-25 CHILDREN PROGRAM. (a) In this section:

1-26 (1) "Predominantly WIC program vendor" means an
 1-27 individual store that:

1-28 (A) operates and transacts approved WIC program
 1-29 food items at a fixed location; and

1-30 (B) has or is expected to have sales of approved
 1-31 WIC program food items to WIC program benefits recipients that
 1-32 exceed 50 percent of the store's total sales of food items eligible
 1-33 for purchase under the supplemental nutrition assistance program
 1-34 under Chapter 33, Human Resources Code.

1-35 (2) "WIC program" means the federal special
 1-36 supplemental nutrition program for women, infants, and children
 1-37 authorized by 42 U.S.C. Section 1786.

1-38 (b) If federal funding for the WIC program is accepted by
 1-39 the state, the state shall include as authorized vendors
 1-40 predominantly WIC program vendors that meet all other vendor
 1-41 requirements established by federal and state WIC program laws and
 1-42 regulations.

1-43 (c) The state may not impose requirements for a
 1-44 predominantly WIC program vendor that are outside the scope of the
 1-45 WIC program, including requirements relating to:

1-46 (1) vendor hours of operation;

1-47 (2) inventory stocking of food items other than
 1-48 approved WIC program food items; or

1-49 (3) restrictions on opening, closing, or relocating a
 1-50 store.

1-51 (d) If a change in ownership of a predominantly WIC program
 1-52 vendor occurs, the new owner, in applying for a new vendor
 1-53 agreement, is subject to the same vendor requirements as
 1-54 predominantly WIC program vendors with existing vendor agreements.

1-55 (e) This section may not be interpreted to expand the WIC
 1-56 program in this state in any manner.

1-57 SECTION 2. If before implementing any provision of this Act
 1-58 a state agency determines that a waiver or authorization from a
 1-59 federal agency is necessary for implementation of that provision,
 1-60 the agency affected by the provision shall request the waiver or
 1-61 authorization and may delay implementing that provision until the

2-1 waiver or authorization is granted.

2-2 SECTION 3. This Act takes effect September 1, 2017.

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