

1-1 By: Hughes S.B. No. 932
 1-2 (In the Senate - Filed February 20, 2019; March 1, 2019,
 1-3 read first time and referred to Committee on Health & Human
 1-4 Services; April 11, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 April 11, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 932 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the regulation of certain direct sales of food to
 1-22 consumers and a limitation on the fee amount for certain permits.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 437, Health and Safety Code, is amended
 1-25 by adding Section 437.0065 to read as follows:

1-26 Sec. 437.0065. PERMITS FOR CERTAIN FARMERS AND FOOD
 1-27 PRODUCERS. (a) In this section, "farmers' market" has the meaning
 1-28 assigned by Section 437.020.

1-29 (b) This section applies only to a permit issued under this
 1-30 chapter to:

1-31 (1) a farmer for the sale of food directly to consumers
 1-32 at a farmers' market, a farm stand, or the farmer's farm; and

1-33 (2) an individual who prepares food for sale at a
 1-34 farmers' market.

1-35 (c) A permit issued under Section 437.003, 437.004,
 1-36 437.0055, or 437.0201 to a person described by Subsection (b):

1-37 (1) must be valid for a term of not less than one year;

1-38 (2) may impose an annual fee in an amount not to exceed
 1-39 \$100 for the issuance or renewal; and

1-40 (3) must cover sales at all locations within the
 1-41 jurisdiction of the permitting authority.

1-42 SECTION 2. Section 437.020(b), Health and Safety Code, is
 1-43 amended to read as follows:

1-44 (b) Except as provided by this section and Sections
 1-45 437.0065, 437.0201, 437.0202, and 437.0203:

1-46 (1) this chapter does not regulate the provision of
 1-47 samples of food or the sale of food to consumers at a farm or
 1-48 farmers' market; and

1-49 (2) a rule adopted under state law may not regulate the
 1-50 provision of samples of food or the sale of food to consumers at a
 1-51 farm or farmers' market.

1-52 SECTION 3. Section 437.0201(b), Health and Safety Code, is
 1-53 amended to read as follows:

1-54 (b) The department or a local health department may issue a
 1-55 temporary food establishment permit to a person who sells food at a
 1-56 farmers' market, subject to Section 437.0065 [~~without limiting the~~
 1-57 ~~number of days for which the permit is effective to the number of~~
 1-58 ~~days during which the farmers' market takes place].~~

1-59 SECTION 4. Section 437.0201(c), Health and Safety Code, is
 1-60 repealed.

2-1 SECTION 5. The change in law made by this Act applies only
2-2 to an original or renewal permit issued on or after the effective
2-3 date of this Act. A permit issued before the effective date of this
2-4 Act is covered by the law in effect when the permit was issued, and
2-5 the former law is continued in effect for that purpose.

2-6 SECTION 6. This Act takes effect September 1, 2019.

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