

1-1 By: Miles S.B. No. 1351
1-2 (In the Senate - Filed March 10, 2021; March 18, 2021, read
1-3 first time and referred to Committee on Education; April 23, 2021,
1-4 reported favorably by the following vote: Yeas 11, Nays 0;
1-5 April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Taylor	X		
1-9	Lucio	X		
1-10	Bettencourt	X		
1-11	Hall	X		
1-12	Hughes	X		
1-13	Menéndez	X		
1-14	Paxton	X		
1-15	Perry	X		
1-16	Powell	X		
1-17	Schwertner	X		
1-18	West	X		

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

1-21 relating to the donation of food by public school campuses.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Section 33.907, Education Code, is amended by
1-24 amending Subsections (b), (c), and (d) and adding Subsection (c-1)
1-25 to read as follows:
1-26 (b) A school district or open-enrollment charter school may
1-27 allow a campus to elect to donate food to a nonprofit organization
1-28 through a person ~~[an official of the nonprofit organization]~~ who is
1-29 directly and officially affiliated with the campus, including a
1-30 teacher or ~~[r]~~ counselor, or through a parent of a student enrolled
1-31 at the campus. The donated food may be received, stored, and
1-32 distributed on the campus. Food donated by the campus may include:
1-33 (1) surplus food prepared for breakfast, lunch, or
1-34 dinner meals or snacks ~~[a snack to be]~~ served from ~~[at]~~ the campus
1-35 cafeteria, subject to any applicable local, state, and federal
1-36 requirements; or
1-37 (2) food donated to the campus as the result of a food
1-38 drive or similar event.
1-39 (c) The type of food donated under Subsection (b)(1) ~~[this~~
1-40 ~~section]~~ may include:
1-41 (1) packaged ~~[or unpackaged]~~ unserved food that is
1-42 packaged on the campus of a school district or open-enrollment
1-43 charter school and has not been removed from the campus cafeteria;
1-44 (2) packaged served food if the packaging and food are
1-45 ~~[is]~~ in good condition;
1-46 (3) whole, uncut produce; and
1-47 (4) wrapped raw unserved produce ~~[, and~~
1-48 ~~[(5) unpeeled fruit required to be peeled before~~
1-49 ~~consumption]~~.
1-50 (c-1) Food that by law must be maintained at a certain
1-51 temperature for safety may not be donated unless the campus has
1-52 maintained the food at the required temperature.
1-53 (d) Food donated under this section to a nonprofit
1-54 organization may be distributed at the campus at any time. Campus
1-55 employees may assist in preparing and distributing the food as
1-56 volunteers for the nonprofit organization. Each person who assists
1-57 in the preparation and distribution of food as a volunteer must have
1-58 completed, or be supervised by a person who has completed, a basic
1-59 food safety education or training program for food handlers
1-60 accredited under Subchapter D, Chapter 438, Health and Safety Code.
1-61 SECTION 2. This Act takes effect September 1, 2021.

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