

1-1 By: Capriglione (Senate Sponsor - Parker) H.B. No. 1449  
1-2 (In the Senate - Received from the House May 19, 2025;  
1-3 May 19, 2025, read first time and referred to Committee on Local  
1-4 Government; May 25, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 May 25, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Bettencourt	X			
1-9 Middleton	X			
1-10 Cook	X			
1-11 Gutierrez			X	
1-12 Nichols	X			
1-13 Paxton	X			
1-14 West			X	
1-15				

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1449 By: Cook

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

1-19 relating to permits for mobile food service establishments  
1-20 operating in certain counties.

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

1-22 SECTION 1. The heading to Chapter 437A, Health and Safety  
1-23 Code, is amended to read as follows:

1-24 CHAPTER 437A. MOBILE FOOD SERVICE ESTABLISHMENTS OPERATING IN  
1-25 ~~[CERTAIN]~~ COUNTIES WITH POPULATION OF MORE THAN ONE MILLION ~~[IN~~  
1-26 ~~MORE THAN ONE MUNICIPALITY]~~

1-27 SECTION 2. Section 437A.002, Health and Safety Code, is  
1-28 amended to read as follows:

1-29 Sec. 437A.002. APPLICABILITY. This chapter applies only  
1-30 to a county~~[-~~

1-31 ~~[(1)]~~ with a population of more than one ~~[2.1]~~ million  
1-32 ~~[-and~~

1-33 ~~[(2) in which is located partly or wholly:~~

1-34 ~~[(A) an airport operating under Subchapter D,~~  
1-35 ~~Chapter 22, Transportation Code; and~~

1-36 ~~[(B) an airport owned by the principal~~  
1-37 ~~municipality in the county that does not offer commercial air~~  
1-38 ~~service].~~

1-39 SECTION 3. The heading to Section 437A.006, Health and  
1-40 Safety Code, is amended to read as follows:

1-41 Sec. 437A.006. INSPECTION ~~[BY COUNTY]~~.

1-42 SECTION 4. Section 437A.006, Health and Safety Code, is  
1-43 amended by adding Subsection (d) to read as follows:

1-44 (d) A county to which this chapter applies may, by written  
1-45 agreement with a municipality, collaborate with a municipality  
1-46 located wholly or partly in the county the inspection of a mobile  
1-47 food service establishment operating in the municipality.

1-48 SECTION 5. Chapter 437A, Health and Safety Code, is amended  
1-49 by adding Sections 437A.0075, 437A.0076, and 437A.0077 to read as  
1-50 follows:

1-51 Sec. 437A.0075. PROHIBITED MUNICIPAL PERMIT REQUIREMENTS.  
1-52 A municipality located wholly or partly in a county to which this  
1-53 chapter applies may not require a permit or similar authorization,  
1-54 other than the permit required under Section 437A.003, for a mobile  
1-55 food service establishment to operate in the municipality.

1-56 Sec. 437A.0076. FEE CALCULATION. A county imposing a fee  
1-57 for a permit issued or renewed under this chapter shall set an  
1-58 annual fee in an amount equal to the amount the department charges  
1-59 biennially for a similar permit under Chapter 437.

1-60 Sec. 437A.0077. RECIPROCAL PERMIT. A county may waive any

2-1 permit requirement for an applicant who holds a permit issued by  
2-2 another county under this chapter.

2-3 SECTION 6. Section 437.0073, Health and Safety Code, is  
2-4 repealed.

2-5 SECTION 7. The changes in law made by this Act apply to an  
2-6 ordinance, rule, regulation, policy, or procedure adopted before,  
2-7 on, or after the effective date of this Act.

2-8 SECTION 8. This Act takes effect September 1, 2025.

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