

1-1 By: Johnson S.B. No. 1864
 1-2 (In the Senate - Filed March 4, 2025; March 17, 2025, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 14, 2025, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 14, 2025,
 1-6 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. 1864 By: Hancock

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

1-21 relating to egg grading and the selling of ungraded eggs;
 1-22 authorizing a fee.

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

1-24 SECTION 1. Section 132.002, Agriculture Code, is amended to
 1-25 read as follows:

1-26 Sec. 132.002. SALE OF UNGRADED EGGS BY PRODUCER [~~LIMITATION~~
 1-27 ~~OF CHAPTER~~]. (a) Except as provided by this section, this [This]
 1-28 chapter does not apply to a person selling only eggs that are
 1-29 produced by the person's own flock and for which the person does not
 1-30 claim a grade.

1-31 (b) A person who produces eggs as described by Subsection
 1-32 (a) may sell any quantity of ungraded eggs directly to consumers in
 1-33 this state and, subject to Subsections (d) and (e), up to 500 dozen
 1-34 ungraded eggs per week at wholesale in this state.

1-35 (c) A person who sells ungraded eggs as provided by
 1-36 Subsection (b) shall label the cartons of eggs with a label that:

- 1-37 (1) is legible;
- 1-38 (2) appears on the top panel of the carton; and
- 1-39 (3) contains:

- 1-40 (A) the word "ungraded";
- 1-41 (B) the producer's name;
- 1-42 (C) the producer's address;
- 1-43 (D) the date the carton was packed; and
- 1-44 (E) if the eggs are sold or offered for sale at
 1-45 wholesale, the producer's registration number as provided by
 1-46 Subsection (d).

1-47 (d) A person must register with the department if the person
 1-48 produces eggs as described by Subsection (a) and sells the eggs at
 1-49 wholesale. The department may set an annual registration fee of not
 1-50 more than \$50.

1-51 (e) A person who sells eggs as described by Subsection (d)
 1-52 shall:

- 1-53 (1) maintain records as provided by Section 132.061;
- 1-54 (2) within 36 hours of collecting the eggs,
 1-55 refrigerate the eggs;
- 1-56 (3) maintain the eggs at an ambient temperature of 45
 1-57 degrees Fahrenheit or below during storage and distribution; and
- 1-58 (4) follow the sanitation requirements of Section
 1-59 132.045 when handling eggs sold or offered for sale at wholesale.

1-60 (f) A state agency or political subdivision may not prohibit

2-1 a person described by Section [132.021\(b\)](#) from purchasing,
2-2 reselling, or using eggs described by Subsection (c).

2-3 SECTION 2. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section [39](#), Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2025.

2-8

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