

By: Alvarado, Zerwas, King of Taylor,
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H.B. No. 217

A BILL TO BE ENTITLED

AN ACT

relating to the types of beverages that may be sold to students on public school campuses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.0021 to read as follows:

Sec. 12.0021. BEVERAGES ALLOWED TO BE SOLD TO STUDENTS ON PUBLIC SCHOOL CAMPUSES. (a) Except as provided by Subsection (b), a public elementary, middle, or junior high school may not sell or allow to be sold to a student on the school campus any type of beverage other than the following:

(1) water without added sweetener;

(2) milk with a fat content of one percent or less;

(3) fluid milk substitutions permitted by the United States Department of Agriculture under 7 C.F.R. Section 210.10;

(4) 100 percent vegetable juice; or

(5) 100 percent fruit juice.

(b) Subsection (a) does not apply:

(1) on a day that school is not in session;

(2) before the beginning of the breakfast period;

(3) after the end of the last instruction period of the day; or

(4) to the sale of a beverage to a high school student on a school campus on which a high school is colocated with an

1 elementary, middle, or junior high school.

2 (c) The department may adopt rules as necessary to
3 administer this section.

4 SECTION 2. This Act applies only to a contract entered into
5 or renewed between a school district and a vendor on or after the
6 effective date of this Act. A contract entered into or renewed
7 before the effective date of this Act is governed by the law in
8 effect immediately before the effective date of this Act, and that
9 law is continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2013.