

1-1 By: Alvarado, et al. (Senate Sponsor - Uresti) H.B. No. 217
 1-2 (In the Senate - Received from the House May 10, 2013;
 1-3 May 10, 2013, read first time and referred to Committee on
 1-4 Education; May 17, 2013, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the types of beverages that may be sold to students on
 1-20 public school campuses.

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

1-22 SECTION 1. Chapter 12, Agriculture Code, is amended by
 1-23 adding Section 12.0021 to read as follows:

1-24 Sec. 12.0021. BEVERAGES ALLOWED TO BE SOLD TO STUDENTS ON
 1-25 PUBLIC SCHOOL CAMPUSES. (a) Except as provided by Subsection (b),
 1-26 a public elementary, middle, or junior high school may not sell or
 1-27 allow to be sold to a student on the school campus any type of
 1-28 beverage other than the following:

- 1-29 (1) water without added sweetener;
- 1-30 (2) milk with a fat content of one percent or less;
- 1-31 (3) fluid milk substitutions permitted by the United
 1-32 States Department of Agriculture under 7 C.F.R. Section 210.10;
- 1-33 (4) 100 percent vegetable juice; or
- 1-34 (5) 100 percent fruit juice.

1-35 (b) Subsection (a) does not apply:

- 1-36 (1) on a day that school is not in session;
- 1-37 (2) before the beginning of the breakfast period;
- 1-38 (3) after the end of the last instruction period of the
 1-39 day; or

1-40 (4) to the sale of a beverage to a high school student
 1-41 on a school campus on which a high school is colocated with an
 1-42 elementary, middle, or junior high school.

1-43 (c) The department may adopt rules as necessary to
 1-44 administer this section.

1-45 SECTION 2. This Act applies only to a contract entered into
 1-46 or renewed between a school district and a vendor on or after the
 1-47 effective date of this Act. A contract entered into or renewed
 1-48 before the effective date of this Act is governed by the law in
 1-49 effect immediately before the effective date of this Act, and that
 1-50 law is continued in effect for that purpose.

1-51 SECTION 3. This Act takes effect September 1, 2013.

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