

BILL ANALYSIS

H.B. 1781
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Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Department of Agriculture (TDA) is currently responsible for administering the National School Lunch Program and the School Breakfast Program in Texas. In accordance with this responsibility, the TDA has adopted rules, known as the Texas Public School Nutrition Policy, which apply to all Texas public schools participating in these programs. Interested parties note that school districts have been fined recently for violating the policy in instances where a charity organization or booster club has sold foods the TDA finds to be of minimal nutritional value. For example, a major metropolitan independent school district was fined because a high school coach sold fried chicken on campus to raise money for the school's team. The goal of H.B. 1781 is to ensure that Texas high schools have the freedom to undertake these types of fundraising activities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1781 amends the Agriculture Code to prohibit the Department of Agriculture from imposing sanctions, including disallowing meal reimbursement, on a school district based on the sale of food of minimal nutritional value to students at a high school if the sale is approved in advance by the school and is made outside of a school area designated for food service or food consumption or during a period other than a school meal service period for the purpose of raising money for a student organization or activity sponsored or sanctioned by the school or the district in which the school is located.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.