

By: West

S.B. No. 758

A BILL TO BE ENTITLED

AN ACT

relating to food system security and resiliency planning.

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

SECTION 1. Title 2, Agriculture Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. FOOD SYSTEM SECURITY

Sec. 23.001. DEFINITIONS. In this chapter:

(1) "Council" means the Texas food system security and resiliency planning council.

(2) "Office" means:

(A) the office of food system security and resiliency if that office is established as a division within the department by an Act of the 88th Legislature, Regular Session, 2023; or

(B) the food and nutrition division of the department if the office of food system security and resiliency is not established as a division within the department by an Act of the 88th Legislature, Regular Session, 2023.

Sec. 23.002. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY PLANNING COUNCIL. (a) The office shall establish the Texas food system security and resiliency planning council. The council is composed of the following members:

(1) seven members appointed by the governor;

(2) seven members appointed by the lieutenant

1 governor;

2 (3) six members appointed by the speaker of the house
3 of representatives;

4 (4) one member appointed by the commissioner to
5 represent food banks;

6 (5) the assistant commissioner of agriculture for the
7 food and nutrition division as a nonvoting member;

8 (6) the director of the Texas A&M AgriLife Extension
9 Service as a nonvoting member; and

10 (7) one nonvoting member appointed by the executive
11 commissioner of the Health and Human Services Commission to
12 represent the supplemental nutrition assistance program, the
13 federal special supplemental nutrition program for women, infants,
14 and children, and the supplemental nutrition assistance
15 program-education.

16 (b) A council member serves at the pleasure of the
17 appointing authority.

18 (c) The governor shall designate a chair of the council from
19 the members that the governor appoints. The lieutenant governor
20 shall designate a vice chair of the council from the members that
21 the lieutenant governor appoints.

22 (d) The council shall meet at least once quarterly or more
23 frequently at the call of the chair.

24 (e) A member of the council is not entitled to compensation
25 or reimbursement for expenses incurred in performing council
26 duties.

27 (f) The council shall:

- 1 (1) give guidance to the office; and
- 2 (2) review the state food system security plan
- 3 developed under Section 23.003.

4 Sec. 23.003. STATE FOOD SYSTEM SECURITY PLAN. (a) The
5 office shall develop a state food system security plan. The plan
6 must:

7 (1) provide for the orderly development and management
8 of food system security throughout this state, including ensuring
9 sufficient food is available at a reasonable cost to:

- 10 (A) ensure public health, safety, and welfare;
- 11 (B) further economic development; and
- 12 (C) protect the agricultural and natural
- 13 resources of this state;

14 (2) account for times of severe drought conditions,
15 natural disaster, man-made disaster, or other calamities; and

16 (3) include legislative recommendations that are
17 needed or desirable to facilitate the resilience and availability
18 of food in this state.

19 (b) In developing the plan, the office shall seek the advice
20 of:

- 21 (1) the Department of State Health Services; and
- 22 (2) the Parks and Wildlife Department.

23 (c) The office shall:

24 (1) review and revise as necessary the plan developed
25 under Subsection (a) at least once every five years; and

26 (2) deliver the plan to the governor, the lieutenant
27 governor, the speaker of the house of representatives, and the

1 chair of the appropriate committees in each house of the
2 legislature.

3 Sec. 23.004. FOOD SYSTEM SECURITY PLANNING FUND. (a) In
4 this section, "planning fund" means the food system security
5 planning fund.

6 (b) The planning fund is a dedicated account in the general
7 revenue fund and consists of:

8 (1) appropriations of money to the planning fund by
9 the legislature;

10 (2) gifts, grants, including federal grants, and other
11 donations received for the planning fund; and

12 (3) interest earned on the investment of money in the
13 planning fund.

14 (c) The planning fund may be used only to administer the
15 council under Section 23.002.

16 (d) The office may accept grants, gifts, or donations from
17 any source that are made for the purposes of this section. Money
18 received under this subsection shall be deposited in the planning
19 fund.

20 Sec. 23.005. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY
21 GRANT PROGRAM. (a) In this section:

22 (1) "Eligible recipient" means:

23 (A) a municipality;

24 (B) a county;

25 (C) a council of government;

26 (D) a regional planning council;

27 (E) an economic development corporation;

- 1 (F) a transit authority;
- 2 (G) a nonprofit or similar organization;
- 3 (H) a farm or agricultural product or service
- 4 cooperative;
- 5 (I) a nonprofit farmers' market or grocery store;
- 6 or
- 7 (J) a micro-business as defined by Section
- 8 2006.001, Government Code.

9 (2) "Grant fund" means the Texas food system security
10 and resiliency projects fund.

11 (b) The grant fund is a dedicated account in the general
12 revenue fund and consists of:

13 (1) appropriations of money to the grant fund by the
14 legislature;

15 (2) gifts, grants, including federal grants, and other
16 donations received for the grant fund; and

17 (3) interest earned on the investment of money in the
18 grant fund.

19 (c) The office shall award grants to eligible recipients to
20 increase food system security or resiliency in this state. To be
21 eligible for a grant, a project must be related to food production,
22 food system security, or food supply resiliency and have the
23 ability to impact either an individual community or the production
24 of a specific agricultural commodity.

25 (d) The grant fund may be used by the office only to:

26 (1) award grants under this section; and

27 (2) administer the grant program under this section.

1 Sec. 23.006. RULES. The department shall adopt rules
2 necessary to administer this chapter.

3 SECTION 2. (a) As soon as practicable after the effective
4 date of this Act, the Department of Agriculture shall adopt rules
5 and procedures as required to implement Chapter 23, Agriculture
6 Code, as added by this Act.

7 (b) As soon as practicable after the adoption of rules and
8 procedures under Subsection (a) of this section, the governor,
9 lieutenant governor, speaker of the house of representatives,
10 executive commissioner of the Health and Human Services Commission,
11 and commissioner of agriculture shall appoint the initial members
12 of the Texas food system security and resiliency planning council
13 under Section 23.002, Agriculture Code, as added by this Act.

14 SECTION 3. Not later than September 1, 2025, the office, as
15 that term is defined by Section 23.001, Agriculture Code, as added
16 by this Act, shall deliver the initial state food system security
17 plan as required by Section 23.003(c), Agriculture Code, as added
18 by this Act.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2023.