

By: Bucy

H.B. No. 1289

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to measures to address student hunger at postsecondary  
3 educational institutions.

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

5 SECTION 1. Subchapter 2, Chapter 51, Education Code, is  
6 amended by adding Section 51.9231 to read as follows:

7 Sec. 51.9231. FOOD VENDOR CONTRACT REQUIREMENT. (a) In  
8 this section, "institution of higher education" has the meaning  
9 assigned by Section 61.003.

10 (b) A contract entered into by an institution of higher  
11 education with a person for the person to sell or otherwise provide  
12 food on the institution's campus must require the person, if  
13 eligible, to seek authorization to become a retailer and accept  
14 benefits under the supplemental nutrition assistance program under  
15 Chapter 33, Human Resources Code.

16 SECTION 2. Subchapter C, Chapter 61, Education Code, is  
17 amended by adding Sections 61.0763 and 61.07631 to read as follows:

18 Sec. 61.0763. HUNGER-FREE CAMPUS PROGRAM. (a) The board  
19 shall establish and administer a hunger-free campus program to  
20 support institutions of higher education in establishing essential  
21 and sustainable solutions to hunger at institution campuses in this  
22 state. The solutions must include:

23 (1) allowing students to donate meal credits from the  
24 student's meal plan to be distributed to peers who may be facing

1 food insecurity;  
2 (2) establishing food pantries on campus;  
3 (3) developing, in collaboration with the Health and  
4 Human Services Commission, capacity-building strategies for  
5 increasing student enrollment in the supplemental nutrition  
6 assistance program under Chapter 33, Human Resources Code,  
7 including strategies for identifying students who previously  
8 received meals under the national free or reduced-price lunch  
9 program established under 42 U.S.C. Section 1751 et seq. and  
10 enrolling them in the supplemental nutrition assistance program;  
11 and

12 (4) any other solutions identified by the work group  
13 established under Subsection (c), institution and campus  
14 personnel, or the board.

15 (b) The board shall establish criteria under which the board  
16 may designate a campus of an institution of higher education as a  
17 Hunger-Free Campus if the campus applies and meets the  
18 qualifications.

19 (c) The board shall establish a work group to develop best  
20 practices guidelines for addressing student hunger on the campuses  
21 of institutions of higher education, including methods for  
22 implementing the solutions to hunger described by Subsection (a).

23 (d) The work group must include members who are  
24 representatives of:

- 25 (1) the legislature;  
26 (2) institutions of higher education;  
27 (3) the board; and

1           (4) other relevant stakeholders.

2           (e) In determining the composition of the work group, the  
3 board shall:

4           (1) ensure work group members represent various types  
5 of institutions of higher education located throughout this state;  
6 and

7           (2) appoint one work group member to serve as  
8 presiding officer.

9           (f) Not later than December 1 of each even-numbered year,  
10 the work group shall submit a report to the legislature regarding  
11 its findings and recommendations.

12           Sec. 61.07631. HUNGER-FREE CAMPUS GRANT PROGRAM. (a) The  
13 board, in coordination with the Department of Agriculture, shall  
14 establish and administer a program to award grants to eligible  
15 institutions of higher education to support efforts to fight hunger  
16 on the campuses of those institutions.

17           (b) Subject to money appropriated or otherwise available,  
18 the board shall award grants on a competitive basis to institutions  
19 of higher education that have one or more campuses designated as a  
20 Hunger-Free Campus by the board under Section 61.0763(b).

21           (c) The board shall determine the amount of each grant,  
22 prioritizing grants made to institutions of higher education with  
23 the highest percentages of eligible Pell grant program recipients  
24 enrolled in the institution.

25           (d) Grants awarded under this section must be used by the  
26 receiving institution of higher education to:

27           (1) address student hunger on the institution's

1 campuses;

2 (2) promote essential and sustainable solutions to  
3 address basic food needs on the institution's campuses;

4 (3) raise awareness of services that address basic  
5 food needs and that are currently offered on the institution's  
6 campuses; and

7 (4) build partnerships at the local, state, and  
8 national levels to address food insecurity among students.

9 (e) The board shall adopt rules to implement this section,  
10 including rules establishing an application and selection process  
11 for awarding grants.

12 (f) Each institution of higher education that receives a  
13 grant under the program shall submit a report to the board, in the  
14 manner the board prescribes, that describes how the institution  
15 used the grant award.

16 (g) Not later than December 1, 2028, the board shall submit  
17 to the governor, the lieutenant governor, and the speaker of the  
18 house of representatives a report on the grant program under this  
19 section. The report must include:

20 (1) the number and amounts of grants awarded;

21 (2) the impact of the program on establishing  
22 Hunger-Free Campuses at institutions of higher education;

23 (3) the impact of the program on reducing the number of  
24 students experiencing food insecurity; and

25 (4) recommendations for statutory or funding changes  
26 necessary to implement successful innovations for reducing hunger  
27 at institutions of higher education.

1 SECTION 3. Subchapter A, Chapter 33, Human Resources Code,  
2 is amended by adding Section 33.020 to read as follows:

3 Sec. 33.020. SNAP ELIGIBILITY OF CERTAIN STUDENTS ENROLLED  
4 IN POSTSECONDARY EDUCATION PROGRAMS. (a) In this section,  
5 "postsecondary educational institution" includes:

6 (1) an institution of higher education or a private or  
7 independent institution of higher education as defined by Section  
8 61.003, Education Code; and

9 (2) a career school or college as defined by Section  
10 132.001, Education Code.

11 (b) The commission shall, as authorized under 7 U.S.C.  
12 Section 2015(o)(6), provide an exemption from work requirements to  
13 provide supplemental nutrition assistance program benefits to an  
14 individual who is:

15 (1) ineligible to receive supplemental nutrition  
16 assistance program benefits based solely on the work requirements;  
17 and

18 (2) enrolled as a student in at least 12 semester  
19 credit hours in a postsecondary educational institution.

20 (c) The executive commissioner shall adopt rules to  
21 implement this section, including rules that ensure a student  
22 remains eligible for supplemental nutrition assistance benefits  
23 during a break in the semester or academic term of the postsecondary  
24 educational institution in which the student is enrolled.

25 SECTION 4. Section 51.9231, Education Code, as added by  
26 this Act, applies only to a contract entered into on or after the  
27 effective date of this Act. A contract entered into before the

1 effective date of this Act is governed by the law in effect on the  
2 date the contract was entered into, and the former law is continued  
3 in effect for that purpose.

4 SECTION 5. (a) Not later than December 31, 2025, the Texas  
5 Higher Education Coordinating Board shall establish the work group  
6 required by Section 61.0763, Education Code, as added by this Act.

7 (b) Not later than December 1, 2026, the work group  
8 established under Section 61.0763, Education Code, as added by this  
9 Act, shall submit its initial report.

10 SECTION 6. Not later than December 31, 2026, the executive  
11 commissioner of the Health and Human Services Commission shall  
12 adopt the rules necessary to implement Section 33.020, Human  
13 Resources Code, as added by this Act.

14 SECTION 7. Section 33.020, Human Resources Code, as added  
15 by this Act, applies only to an initial determination or  
16 recertification of eligibility for the supplemental nutrition  
17 assistance program under Chapter 33, Human Resources Code, that is  
18 made on or after the effective date of this Act. A determination or  
19 recertification made before the effective date of this Act is  
20 governed by the law in effect on the date the determination or  
21 recertification was made, and the former law is continued in effect  
22 for that purpose.

23 SECTION 8. If before implementing any provision of this Act  
24 a state agency determines that a waiver or authorization from a  
25 federal agency is necessary for implementation of that provision,  
26 the agency affected by the provision shall request the waiver or  
27 authorization and may delay implementing that provision until the

1 waiver or authorization is granted.

2 SECTION 9. This Act takes effect September 1, 2025.