

AN ACT

relating to prohibiting certain food additives from being included in free or reduced-price meals provided by school districts.

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

SECTION 1. Subchapter 2, Chapter 33, Education Code, is amended by adding Section 33.9011 to read as follows:

Sec. 33.9011. PROHIBITION ON CERTAIN ADDITIVES IN FREE OR REDUCED-PRICE MEALS. (a) In this section:

(1) "National school breakfast program" means the national school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. Section 1773).

(2) "National school lunch program" means the national school lunch program of free or reduced-price lunches under 42 U.S.C. Section 1751 et seq.

(b) A school district or open-enrollment charter school that provides free or reduced-price meals to eligible students under Section 33.901, the national school breakfast program, or the national school lunch program may not provide as part of a free or reduced-price meal any food that contains the following substances:

(1) brominated vegetable oil (BVO);

(2) potassium bromate;

(3) propylparaben;

(4) azodicarbonamide;

(5) butylated hydroxyanisole (BHA);

1 (6) red 3 (CAS 16423-68-0);
2 (7) red 40 (CAS 25956-17-6);
3 (8) yellow 5 (CAS 1934-21-0);
4 (9) yellow 6 (CAS 2783-94-0);
5 (10) blue 1 (CAS 3844-45-9);
6 (11) blue 2 (CAS 860-22-0);
7 (12) green 3 (CAS 2353-45-9);
8 (13) citrus red 3 (CAS 6358-53-8);
9 (14) orange B (CAS 15139-76-1);
10 (15) INS No. 150c/ammonia caramel (Class III);
11 (16) INS No. 150d/sulfite ammonia caramel (Class IV);
12 (17) titanium dioxide; or
13 (18) any additive that is substantially similar to an
14 additive specified in Subdivisions (1) through (17).

15 (c) A school district or open-enrollment charter school
16 that receives a waiver under Section 7.056 is not in violation of
17 this section.

18 SECTION 2. (a) Except as provided by Subsection (b) of this
19 section, this Act applies beginning with the 2026-2027 school year.

20 (b) This Act applies only to a contract to provide food for
21 free or reduced-price meals, as described by Section 33.9011,
22 Education Code, as added by this Act, entered into or renewed on or
23 after September 1, 2026.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

S.B. No. 314

1 Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 314 passed the Senate on March 12, 2025, by the following vote: Yeas 30, Nays 1; and that the Senate concurred in House amendment on May 14, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 314 passed the House, with amendment, on May 10, 2025, by the following vote: Yeas 123, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor