

BILL ANALYSIS

Senate Research Center
78R11651 JRD-D

C.S.S.B. 381
By: Armbrister
Business & Commerce
4-11-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas law dictates that the sale of food for immediate consumption in a restaurant does not require the restaurant to obtain a manufacturer or wholesaler license. This does not apply to food prepared by retail restaurants for immediate consumption by a political subdivision. C.S.S.B. 381 exempts from food wholesaler and manufacturer licensing requirements a restaurant that provides food for immediate consumption by a political subdivision if it would not otherwise be required to hold such a license.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.221(2) and (3), Health and Safety Code, as follows:

- (2) Redefines "food manufacturer."
- (3) Redefines "food wholesaler." Makes nonsubstantive changes.

SECTION 2. Amends Section 431.2211(a), Health and Safety Code, to exempt from the requirement to hold a license under this subchapter, a restaurant that provides food for immediate consumption to a political subdivision if the restaurant would not otherwise be required to hold a license under this subchapter.

SECTION 3. Effective date: upon passage or September 1, 2003.