

1-1 By: Hochberg (Senate Sponsor - Carona) H.B. No. 470
1-2 (In the Senate - Received from the House March 31, 2003;
1-3 April 3, 2003, read first time and referred to Committee on
1-4 Business and Commerce; May 23, 2003, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the labeling, advertising, and sale of halal foods;
1-9 providing a criminal penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 17, Business & Commerce Code, is amended
1-12 by adding Subchapter I to read as follows:

1-13 SUBCHAPTER I. LABELING, ADVERTISING, AND SALE OF HALAL FOODS

1-14 Sec. 17.881. DEFINITIONS. In this subchapter:

1-15 (1) "Halal," as applied to food, means food prepared
1-16 and served in conformity with Islamic religious requirements
1-17 according to a recognized Islamic authority.

1-18 (2) "Label" means a display of written, printed, or
1-19 graphic matter on the immediate article or container of any food
1-20 product.

1-21 (3) "Person" includes an individual, corporation, or
1-22 association.

1-23 (4) "Restaurant" means a place where food is sold for
1-24 on-premises consumption.

1-25 (5) "Retail store" means a retail grocery store,
1-26 delicatessen, butcher shop, or other place where food is sold for
1-27 off-premises consumption.

1-28 (6) "Sell" means to offer for sale, expose for sale,
1-29 have in possession for sale, convey, exchange, barter, or trade.

1-30 Sec. 17.882. MEAT LABELING. (a) If a person sells both
1-31 halal meat and nonhalal meat in the same retail store, the person
1-32 shall clearly label each portion of halal meat with the word
1-33 "halal." If an unwrapped or unpackaged meat product is displayed
1-34 for sale, the display case or container in which the meat is
1-35 displayed must be clearly labeled with the word "halal" or
1-36 "nonhalal," as applicable.

1-37 (b) A person commits an offense if the person is required to
1-38 label meat in accordance with this section and the person knowingly
1-39 sells meat that is not labeled as provided in this section.

1-40 Sec. 17.883. SALE OF NONHALAL FOOD. A person commits an
1-41 offense if the person knowingly or intentionally sells at a
1-42 restaurant or a retail store a food product that is represented as
1-43 halal food and is not halal food and the person either knows the
1-44 food is not halal food or was reckless about determining whether or
1-45 not the food is halal food.

1-46 Sec. 17.884. CIVIL REMEDY. A consumer aggrieved by a
1-47 violation of this subchapter may maintain a cause of action for
1-48 damages in accordance with Section 17.50.

1-49 Sec. 17.885. CRIMINAL PENALTY. An offense under this
1-50 subchapter is punishable by the fine imposed for an offense under
1-51 Section 17.12(d).

1-52 SECTION 2. This Act takes effect September 1, 2003.

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