

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 23, 2003**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1826** by Van de Putte (Relating to the relabeling of food and providing false information under the Texas Food, Drug, and Cosmetic Act; providing penalties.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code relating to the relabeling of food and providing false information under the Texas Food, Drug and Cosmetic Act. The bill would amend the definition of “manufacture” to specifically include relabeling of food. The bill would make it an offense to make a false statement or false representation in a license application under the Act, or in other instruments such as a report or statement to be filed with the Board of Health, the Commissioner of Health, or the Department of Health. The bill further amends the Health and Safety Code to make a second or subsequent offense of prohibited acts, identified in the Texas Food, Drug, and Cosmetic Act punishable as a state jail felony. Such offenses are currently punishable as Class A misdemeanors.

Based on the analysis provided by the Department of Health and the Ethics Commission, it is assumed that the implementation of the bill would not have a significant fiscal impact on the State.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 356 Texas Ethics Commission, 501 Department of Health

**LBB Staff:** JK, EB, GG