

BILL ANALYSIS

Senate Research Center
79R12160 MSE-D

H.B. 2507
By: Bohac (Ellis)
Health & Human Services
5/14/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Some mobile food vendors in the City of Houston and Harris County have ceased to operate as mobile establishments and remain at fixed locations. These locations lack proper sanitary facilities (e.g. bathrooms and running water) and pose a risk to the public health. The legal departments of the local governments charged with enforcement of food safety have questioned the authority of their local health departments to regulate mobile food operations. Due to this question, there has been no enforcement of the law.

H.B. 2507 clarifies that the City of Houston and Harris County have the authority to enforce state law and rules concerning mobile food units and roadside food vendors within their jurisdictions.

RULEMAKING AUTHORITY

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 Subchapter A, Chapter 121, Health and Safety Code, by adding section 121.0035, as follows:

Sec. 121.0035. REGULATION OF MOBILE FOOD UNITS AND ROADSIDE FOOD VENDORS IN CERTAIN POPULOUS AREAS. (a) Defines "mobile food unit" and "roadside food vendor."

(b) Requires a municipality with a population of 1.5 million or more and a county with population of 3.4 million or more to enforce state law and rules adopted under state law concerning mobile food units and roadside food vendors in the same manner that the county or municipality enforces other health and safety regulations relating to food service.

SECTION 2. Effective date: September 1, 2005.