

## **BILL ANALYSIS**

C.S.H.B. 2507  
By: Bohac  
Urban Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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 (bathrooms, running water, etc.) 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.

C.S.H.B. 2507 clarifies that the City of Houston and Harris County enforce state law and rules concerning mobile food units and roadside food vendors within its jurisdictions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Adds Section 121.0035, Health and Safety Code to clarify and establish that a municipality with a population of 1.4 million or more and a county with a population of 3.4 million or more shall enforce law and rules established under laws concerning mobile and roadside food vendors in the same manner as other health and safety regulations are enforced relating to food service.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute amends Section 121.0035, Health and Safety Code while the original amended Section 437.0021 of the same code. In addition, the substitute specifically referenced existing definitions of "mobile food unit" and "roadside food vendor" not referenced in the original version of the bill.