

By: McClendon

H.B. No. 302

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting certain health care providers from  
3 promoting infant formula.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter A, Chapter 165, Health and Safety  
6 Code, is amended by adding Section 165.005 to read as follows:

7 Sec. 165.005. INFANT FORMULA PROMOTION PROHIBITION. (a) A  
8 hospital, birthing center, physician, or other health care provider  
9 that provides services to mothers and infants may not promote the  
10 use of infant formula, including by:

11 (1) distributing without charge an infant formula or  
12 any item containing the name of an infant formula; and

13 (2) advertising an infant formula.

14 (b) The executive commissioner of the Health and Human  
15 Services Commission shall adopt rules to implement this section.

16 SECTION 2. This Act takes effect September 1, 2005.