

By: Van de Putte

S.B. No. 113

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(2) advertising an infant formula.

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

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