

By: West

S.B. No. 247

A BILL TO BE ENTITLED

AN ACT

1
2 relating to permitting samples of produce at certain municipally
3 owned farmers' markets.

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

5 SECTION 1. Chapter 437, Health and Safety Code, is amended
6 by adding Section 437.020 to read as follows:

7 Sec. 437.020. EXEMPTION FOR CERTAIN MUNICIPALLY OWNED
8 FARMERS' MARKETS. This chapter does not regulate the provision of
9 samples of produce to consumers at a municipally owned farmers'
10 market in a municipality with a population of one million or more.
11 A rule adopted under state law may not regulate the provision of
12 samples of produce to consumers at a municipally owned farmers'
13 market in a municipality with a population of one million or more.

14 SECTION 2. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2005.