

By: Bohac

H.B. No. 3138

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority to operate a mobile food unit, roadside  
3 food vendor, or temporary food service establishment in certain  
4 counties.

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

6 SECTION 1. Chapter 437, Health and Safety Code, is amended  
7 by adding Section 437.021 to read as follows:

8 Sec. 437.021. AUTHORITY TO OPERATE ON CERTAIN PROPERTY. A  
9 person operating a mobile food unit, roadside food vendor, or  
10 temporary food service establishment in a county with a population  
11 of more than 3.3 million shall acquire written authorization from  
12 the owner of the property on which the unit, vendor, or  
13 establishment is operating. The written authorization must:

14 (1) provide that the operator has the property owner's  
15 permission to operate the unit, vendor, or establishment on the  
16 property; and

17 (2) be prominently displayed in the unit, vendor, or  
18 establishment in plain view of the public at all times.

19 SECTION 2. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2007.