

By: Lucio

S.B. No. 1202

A BILL TO BE ENTITLED

1 AN ACT

2 relating to establishment of a pilot program by the commissioner of
3 education for the prevention of obesity in children attending the
4 public schools.

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

6 SECTION 1. Subchapter A, Chapter 38, Education Code, is
7 amended by adding Section 38.020 to read as follows:

8 Sec. 38.020. OBESITY PREVENTION PILOT PROGRAM. (a) Using
9 funds appropriated for that purpose, the commissioner by rule shall
10 establish a pilot program involving activities in the public
11 schools designed to:

12 (1) decrease the rate of obesity in children attending
13 public schools;

14 (2) improve nutritional choices by children;

15 (3) increase the academic performance of children who
16 are obese or are at risk of obesity; and

17 (4) achieve reductions in the costs incurred by the
18 state as a result of children's obesity.

19 (b) The commissioner shall implement the pilot program in
20 three geographic regions of this state, as selected by the
21 commissioner. In selecting the regions for participation, the
22 commissioner shall consider at least the following factors:

23 (1) the degree to which children in the region are at
24 higher than average risk of developing diabetes, as indicated by

1 state health care information or other relevant indicators;

2 (2) the degree to which the performance of children in
3 the region on the assessment instruments required by Section 39.023
4 are lower than the statewide average performance of children on
5 those assessment instruments; and

6 (3) whether more than one-third of the student
7 population in the region is educationally disadvantaged.

8 (c) The commissioner shall request proposals for services
9 to be provided under the pilot program from private or public
10 entities. In selecting entities to provide services, the
11 commissioner shall consider:

12 (1) the proven experience of a potential provider in
13 providing high-quality, cost-effective programs relating to health
14 education, physical education, physical activity, nutrition, or
15 family involvement; and

16 (2) the demonstrated expertise of a potential provider
17 in youth culture and youth media.

18 (d) The commissioner shall adopt rules necessary to
19 implement the pilot program.

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