

By: Zaffirini

S.B. No. 1497

A BILL TO BE ENTITLED

AN ACT

relating to a competitive grant pilot program for certain small
retailers of fresh produce.

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

SECTION 1. Title 2, Agriculture Code, is amended by adding
Chapter 22 to read as follows:

CHAPTER 22. SMALL RETAILERS COMPETITIVE GRANT PILOT PROGRAM

Sec. 22.001. DEFINITIONS. In this chapter:

(1) "Fresh produce" means fresh fruits and vegetables.

(2) "Program" means the small retailers competitive
grant pilot program established under this chapter.

Sec. 22.002. ESTABLISHMENT OF SMALL RETAILERS COMPETITIVE
GRANT PILOT PROGRAM. (a) The department shall develop and
implement a small retailers competitive grant pilot program through
which the department will award grants to small retailers in
certain low-income communities in this state to improve the health
of individuals in those communities by increasing their access to
fresh produce.

(b) The department by rule shall define "small retailer" for
purposes of this chapter.

(c) The department shall operate the program in each school
district in which at least 60 percent of the students who reside in
that district participate in the national free or reduced-price
lunch program established under 42 U.S.C. Section 1751 et seq.

1 Sec. 22.003. ELIGIBILITY. A small retailer is eligible to
2 apply for a grant under the program if:

3 (1) the small retailer's place of business is located
4 within the boundaries of a school district described by Section
5 22.002(c); and

6 (2) there is no other retailer of fresh produce within
7 a one-mile radius of the small retailer's place of business.

8 Sec. 22.004. USE OF AWARDED GRANT MONEY. A grant recipient
9 may use grant money awarded under the program only to cover costs
10 that are approved by the department, which may include costs
11 related to:

12 (1) training employees regarding the proper storage of
13 fresh produce;

14 (2) training employees regarding the marketing of
15 fresh produce;

16 (3) obtaining marketing materials, including signage
17 and flyers;

18 (4) obtaining refrigeration units for the storage of
19 fresh produce; and

20 (5) obtaining technical assistance regarding
21 refrigeration units and other equipment required to store fresh
22 produce.

23 Sec. 22.005. GRANT RECIPIENT REPORTING REQUIREMENTS. A
24 grant recipient shall report information related to the program to
25 the department in the form and manner and at regular intervals as
26 prescribed by the department. Each report must include the
27 following information for the period covered by the report:

1 (1) the amount of fresh produce that was added to the
2 recipient's inventory as a result of the grant;

3 (2) the average price charged for each type of fresh
4 produce offered;

5 (3) the amount of monthly gross receipts earned from
6 the sale of fresh produce; and

7 (4) a detailed accounting of how the grant money was
8 spent.

9 Sec. 22.006. EVALUATION BY DEPARTMENT. The department shall
10 monitor and periodically evaluate:

11 (1) the performance of each grant recipient under the
12 program;

13 (2) how each grant recipient uses the grant money
14 awarded under the program; and

15 (3) the effect of the program on the grant recipient
16 and on the residents of the community served by the grant recipient.

17 Sec. 22.007. REPORT TO LEGISLATURE. Not later than
18 December 1, 2008, the department shall submit an initial report to
19 the legislature that includes:

20 (1) an evaluation of the performance and operation of
21 the program; and

22 (2) recommendations on the continuation, elimination,
23 or expansion of the program.

24 Sec. 22.008. EXPIRATION. This chapter expires September 1,
25 2009.

26 SECTION 2. Not later than January 1, 2008, the Department of
27 Agriculture shall implement the small retailers competitive grant

1 pilot program established under Chapter 22, Agriculture Code, as
2 added by this Act.

3 SECTION 3. As soon as practicable after the completion of
4 the small retailers competitive grant pilot program implemented
5 under Chapter 22, Agriculture Code, as added by this Act, but not
6 later than November 1, 2009, the Department of Agriculture shall
7 submit a final report to the legislature that includes an overall
8 evaluation of the performance and operation of the program.

9 SECTION 4. This Act takes effect September 1, 2007.