

SENATE AMENDMENTS

2nd Printing

By: Bohac, Bailey

H.B. No. 3672

A BILL TO BE ENTITLED

AN ACT

relating to mobile food units in certain populous counties;
providing a penalty.

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

SECTION 1. Chapter 437, Health and Safety Code, is amended
by adding Section 437.0074 to read as follows:

Sec. 437.0074. MOBILE FOOD UNITS IN CERTAIN POPULOUS
COUNTIES. (a) A county with a population of at least 2.8 million,
or a municipality or public health district in the county, shall
require a mobile food unit to:

(1) return to the food service establishment or
commissary from which the unit operates within each 24-hour period
that the mobile food unit is in operation to have cleaning and other
services performed on the unit; and

(2) obtain, on completion of an inspection following
servicing, written documentation that the mobile food unit has been
serviced daily as required by Subdivision (1).

(b) A county, municipality, or public health district that
has installed an electronic tagging system, shall:

(1) register and record confirmation that the unit has
been serviced as required by Subsection (a)(1); and

(2) issue a written copy of the confirmation to the
mobile food unit for the purpose of documentation under Subsection
(a)(2).

1 SECTION 2. Section 37.01(2), Penal Code, is amended to read
2 as follows:

3 (2) "Governmental record" means:

4 (A) anything belonging to, received by, or kept
5 by government for information, including a court record;

6 (B) anything required by law to be kept by others
7 for information of government;

8 (C) a license, certificate, permit, seal, title,
9 letter of patent, or similar document issued by government, by
10 another state, or by the United States;

11 (D) a standard proof of motor vehicle liability
12 insurance form described by Section 601.081, Transportation Code, a
13 certificate of an insurance company described by Section 601.083 of
14 that code, a document purporting to be such a form or certificate
15 that is not issued by an insurer authorized to write motor vehicle
16 liability insurance in this state, an electronic submission in a
17 form described by Section 502.153(i), Transportation Code, or an
18 evidence of financial responsibility described by Section 601.053
19 of that code; ~~or~~

20 (E) an official ballot or other election record;
21 or

22 (F) the written documentation a mobile food unit
23 is required to obtain under Section 437.0074, Health and Safety
24 Code.

25 SECTION 3. This Act takes effect September 1, 2007.

ADOPTED

MAY 22 2007

Lotay Spaw
Secretary of the Senate

By: Ellis

H.B. No. 3672

Substitute the following for H.B. No. 3672:

By: Ed Shepley

C.S.H.B. No. 3672

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COUNTIES. (a) A county with a population of at least 2.8 million,
or a municipality or public health district in the county, shall
require a mobile food unit to:

(1) return to the food service establishment or
commissary from which the unit operates within the 24-hour period
preceding operation of the mobile food unit to have cleaning and
other services performed on the unit; and

(2) obtain, on completion of an inspection following
servicing, written documentation that the mobile food unit has been
serviced daily as required by Subdivision (1).

(b) A county, municipality, or public health district that
has installed an electronic tagging system shall register and
record confirmation that the unit has been serviced as required by
Subsection (a)(1).

SECTION 2. Section 37.01(2), Penal Code, is amended to read
as follows:

(2) "Governmental record" means:

1 (A) anything belonging to, received by, or kept
2 by government for information, including a court record;

3 (B) anything required by law to be kept by others
4 for information of government;

5 (C) a license, certificate, permit, seal, title,
6 letter of patent, or similar document issued by government, by
7 another state, or by the United States;

8 (D) a standard proof of motor vehicle liability
9 insurance form described by Section 601.081, Transportation Code, a
10 certificate of an insurance company described by Section 601.083 of
11 that code, a document purporting to be such a form or certificate
12 that is not issued by an insurer authorized to write motor vehicle
13 liability insurance in this state, an electronic submission in a
14 form described by Section 502.153(i), Transportation Code, or an
15 evidence of financial responsibility described by Section 601.053
16 of that code; [~~or~~]

17 (E) an official ballot or other election record;
18 or

19 (F) the written documentation a mobile food unit
20 is required to obtain under Section 437.0074, Health and Safety
21 Code.

22 SECTION 3. This Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 10, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3672** by Bohac (Relating to mobile food units in certain populous counties; providing a penalty.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require a county with a population of at least 2.8 million, or a municipality or public health district in that county, to impose certain requirements on a mobile food unit. The bill would take effect September 1, 2007.

Local Government Impact

Based on the 2000 U.S. Census, the bill would apply only to Harris County and municipalities and districts within Harris County.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, CL, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 7, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3672 by Bohac (Relating to mobile food units in certain populous counties; providing a penalty.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require a county with a population of at least 2.8 million, or a municipality or public health district in that county, to impose certain requirements on a mobile food unit. The bill would take effect September 1, 2007.

Local Government Impact

Based on the 2000 U.S. Census, the bill would apply only to Harris County and municipalities and districts within Harris County.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, CL, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3672** by Bohac (Relating to mobile food units in certain populous counties; providing a penalty.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require a county with a population of at least 2.8 million, or a municipality or public health district in that county, to impose certain requirements on a mobile food unit. The bill would take effect September 1, 2007.

Local Government Impact

Based on the 2000 U.S. Census, the bill would apply only to Harris County and municipalities and districts within Harris County.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DB

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 2, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3672** by Bohac (Relating to mobile food units in certain populous counties; providing a penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to mobile food units in certain populous counties and provides penalties.

According to the Department of State Health Services (DSHS), the department does not enforce Chapter 437 of the Health and Safety Code in a county with a population of more than 2.8 million so the provisions of the bill would not have a fiscal impact on DSHS.

The bill would take effect September 1, 2007.

Local Government Impact

Based on the 2000 U.S. census, only Harris County has a population of more than 2.8 million. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, DB, PP, SJ, KJG

