

BILL ANALYSIS

S.B. 344
By: Nelson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Low-income children are more likely to become obese, putting them at risk for chronic diseases such as diabetes. A lack of fresh fruits and vegetables exacerbates their increased risk of becoming obese. While the Supplemental Nutrition Assistance Program, formerly the food stamp program, as well as federal women, infants, and children (WIC) benefits are technically allowed at farmers markets, few vendors or clients are aware of this option and most vendors do not have the technology to enable them to accept the electronic Lone Star Card benefits. The federal government does not prohibit WIC benefits from being accepted at farmers markets, but only one vendor in Texas currently accepts them.

S.B. 344 requires the executive commissioner of the Health and Human Services Commission and the commissioner of the Department of Agriculture to jointly establish a nine-member advisory committee to study and provide recommendations to the legislature regarding the incorporation and use of food stamps and WIC program benefits at farmers markets in Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 344 amends the law to set forth temporary provisions, set to expire September 1, 2011, to require the executive commissioner of the Health and Human Services Commission (HHSC) and the commissioner of the Department of Agriculture to jointly establish a nine-member advisory committee to study and provide recommendations to the legislature regarding the incorporation and use of food stamps and WIC program benefits at farmers markets in Texas. The bill requires the commissioner to appoint to the committee four representatives of farmers market vendors, with two members representing urban farmers markets and two members representing rural farmers markets or roadside stands and requires the executive commissioner to appoint one representative of an advocacy group for WIC program recipients, such as a charity or consumer group, one representative of an advocacy group for food stamp recipients, such as a charity or consumer group, one representative of staff at WIC program clinics, one representative of a health and human services agency who is a subject matter expert on the WIC program, and one representative of a health and human services agency who is a subject matter expert on the food stamp program.

S.B. 344 establishes that an advisory committee member is not entitled to reimbursement of expenses or to compensation, requires the advisory committee to meet within 30 days after the date the initial appointments have been made and to select a presiding officer, and requires the committee to meet regularly as necessary. The bill requires the committee to study the costs and benefits of incorporating food stamp and WIC program benefits at farmers markets for the purchase of fresh, local produce, determine the feasibility and cost of providing handheld scanners to farmers market vendors to accept electronic benefits transfer (EBT) cards, determine

methods of marketing and outreach to farmers market vendors and food stamp and WIC program participants to encourage the use of food stamps and WIC program benefits to purchase fresh, local produce from farmers markets, study methods of funding the transition to farmers market participation in the food stamp and WIC programs, including federal, state, and private funding, and perform other advisory duties as requested by the executive commissioner of HHSC or the commissioner of the Department of Agriculture regarding the acceptance of food stamps and WIC program benefits at farmers markets.

S.B. 344 requires the Department of Agriculture to provide administrative support, including staff, for the advisory committee, and requires the committee, not later than September 1, 2010, to submit to the legislature a report outlining the costs, benefits, and feasibility of incorporating food stamp and WIC program benefits at farmers markets to purchase fresh, local produce. The bill establishes that provisions relating to state agency advisory committees do not apply to the advisory committee established under the bill's provisions and abolishes the advisory committee on September 1, 2011. The bill defines "farmers market," "food stamp program," and "WIC program."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.