

BILL ANALYSIS

S.B. 870
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Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 80th Legislature, Regular Session, 2007 enacted S.B. 556 establishing the Texas Interagency Obesity Council. The council is comprised of the commissioners of the Texas Education Agency, the Department of State Health Services, and the Texas Department of Agriculture (TDA). The council has proven to be an effective means for coordinating and improving current health-related initiatives and should be directed to continue its efforts.

S.B. 870 expands the council's duties by requiring it to create an evidence-based public health awareness plan. The bill also requires TDA, in consultation with the council, to study the feasibility, practicality, and potential benefit, cost, and revenue associated with creating a state-endorsed health food and beverage designation. The bill requires TDA's recommendations and findings to be reported to the legislature by January 15, 2011.

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. 870 requires the interagency obesity council to create an evidence-based public health awareness plan to explore past successful public health awareness efforts. The bill requires the plan to include a cost estimate that accounts for continuing implementation of the plan, recommendations on reaching populations that would most benefit from increased public health awareness, and recommendations on encouraging employers to participate in wellness programs for employees. The bill requires the council to solicit input on the plan from the private sector. The bill requires the council to provide to the Department of State Health Services (DSHS) information on effective strategies for employers to use to promote workplace wellness, including information on the projected costs and benefits and requires DSHS to post the information on its Internet website.

S.B. 870 creates a temporary provision, set to expire on September 2, 2011, to require the Department of Agriculture, in consultation with the council, to study the feasibility, practicality, and potential benefit, cost, and revenue associated with creating a state-endorsed "healthy food and beverage" designation. The bill requires the Department of Agriculture, in consultation with the council, on determination that such a designation is feasible, to identify ways to note serving size, nutrient class or family, and the role of the product as part of a healthy, well-balanced diet on qualifying products. The bill requires the Department of Agriculture, not later than January 15, 2011, to submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives regarding the feasibility of creating and implementing a state-endorsed "healthy food and beverage" designation. The bill authorizes the report to be included with the council's biennial report to the governor, lieutenant governor, and speaker of the house of representatives. The bill authorizes the Department of Agriculture to contract with a private or public university to assist in gathering information related to the designation.

S.B. 870 authorizes the council to contract with a private or public university to assist in gathering information and authorizes an agency represented on the council to accept gifts and grants on behalf of the council.

S.B. 870 requires the council's biennial report to include the following information regarding the awareness plan: a cost estimate for an ongoing program to implement the plan, projected benefits of the program, a summary of the information provided to DSHS for its Internet website, and recommendations for goals and future legislation. The bill clarifies the requirement that the council meet at least once each year is for purposes of performing its duties relating to the review of Department of Agriculture, Department of State Health Services, and Texas Education Agency obesity prevention programs and the evidence-based public health awareness plan and removes the requirement that the council consider the feasibility of tax incentives for employees who promote activities designed to reduce obesity in the workforce at the annual meeting.

S.B. 870 defines "council" as the interagency obesity council, and makes conforming changes.

EFFECTIVE DATE

September 1, 2009.