

AN ACT

relating to a grant program to provide children at risk of hunger or obesity with increased access to nutritious foods.

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

SECTION 1. Title 2, Agriculture Code, is amended by adding Chapter 25 to read as follows:

CHAPTER 25. CHILDREN'S ACCESS TO NUTRITIOUS FOOD PROGRAM

Sec. 25.001. CREATION. Using funds appropriated for that purpose, the department by rule shall develop and implement a children's access to nutritious food program to award grants to nonprofit organizations for the purpose of allowing food banks to provide children at risk of hunger or obesity with access to nutritious food outside the school day.

Sec. 25.002. ELIGIBILITY. A nonprofit organization is eligible to receive a grant under this chapter if the organization:

(1) has at least five years of experience coordinating a statewide network of food banks and charitable organizations that serves each county of this state;

(2) operates a program through a statewide network of food banks that provides children at risk of hunger or obesity with access to nutritious food outside the school day; and

(3) submits to the department, in the manner and time prescribed by the department, a detailed proposal for a program to purchase and distribute food using grant money to food banks or

1 other charitable organizations that includes:

2 (A) a schedule of projected costs for the
3 program;

4 (B) measurable goals for the program; and

5 (C) a plan for evaluating the success of the
6 program.

7 Sec. 25.003. USE OF FUNDS. A recipient of a grant under
8 this chapter may use the grant only for the purchase of the
9 following nutritious foods:

10 (1) fresh, frozen, or canned meats that are lean or low
11 in fat content;

12 (2) dry or canned beans;

13 (3) nonfat or vegetarian items;

14 (4) low-fat nut and seed butters;

15 (5) dry-roasted or raw nuts and seeds;

16 (6) eggs;

17 (7) olive oil;

18 (8) canola oil;

19 (9) fresh, frozen, or canned fruits with no added
20 sugar;

21 (10) fresh, frozen, or canned vegetables;

22 (11) juices that contain 100 percent fruit juice;

23 (12) foods that contain 100 percent whole grains;

24 (13) fresh, dry, canned, or ultra-high-temperature
25 pasteurized milk that has a fat content of no greater than one
26 percent;

27 (14) light yogurt; and

1 (15) low-fat cheese.

2 Sec. 25.004. REPORT. A nonprofit organization that
3 receives a grant under this chapter must at regular intervals
4 prescribed by the department report the results of the
5 organization's program to the department. A report under this
6 section for a prescribed reporting period must include:

7 (1) a statement of the amount of food purchased and
8 distributed using grant funds;

9 (2) a statement of the leveraged value of grant funds;

10 (3) a list of specific programs that benefited from
11 grant funds; and

12 (4) a detailed accounting of how grant funds were
13 spent.

14 Sec. 25.005. RULES. The commissioner may adopt rules as
15 necessary to implement this chapter.

16 SECTION 2. As soon as possible after the effective date of
17 this Act, the Department of Agriculture shall implement the
18 children's access to nutritious food program under Chapter 25,
19 Agriculture Code, as added by this Act.

20 SECTION 3. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1622 was passed by the House on April 9, 2009, by the following vote: Yeas 146, Nays 2, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1622 was passed by the Senate on May 12, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor