

1-1 By: Giddings, et al. (Senate Sponsor - Zaffirini) H.B. No. 1622
1-2 (In the Senate - Received from the House April 14, 2009;
1-3 April 15, 2009, read first time and referred to Committee on Health
1-4 and Human Services; May 8, 2009, reported favorably by the
1-5 following vote: Yeas 8, Nays 0; May 8, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a grant program to provide children at risk of hunger or
1-9 obesity with increased access to nutritious foods.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Title 2, Agriculture Code, is amended by adding
1-12 Chapter 25 to read as follows:

1-13 CHAPTER 25. CHILDREN'S ACCESS TO NUTRITIOUS FOOD PROGRAM

1-14 Sec. 25.001. CREATION. Using funds appropriated for that
1-15 purpose, the department by rule shall develop and implement a
1-16 children's access to nutritious food program to award grants to
1-17 nonprofit organizations for the purpose of allowing food banks to
1-18 provide children at risk of hunger or obesity with access to
1-19 nutritious food outside the school day.

1-20 Sec. 25.002. ELIGIBILITY. A nonprofit organization is
1-21 eligible to receive a grant under this chapter if the organization:

1-22 (1) has at least five years of experience coordinating
1-23 a statewide network of food banks and charitable organizations that
1-24 serves each county of this state;

1-25 (2) operates a program through a statewide network of
1-26 food banks that provides children at risk of hunger or obesity with
1-27 access to nutritious food outside the school day; and

1-28 (3) submits to the department, in the manner and time
1-29 prescribed by the department, a detailed proposal for a program to
1-30 purchase and distribute food using grant money to food banks or
1-31 other charitable organizations that includes:

1-32 (A) a schedule of projected costs for the
1-33 program;

1-34 (B) measurable goals for the program; and

1-35 (C) a plan for evaluating the success of the
1-36 program.

1-37 Sec. 25.003. USE OF FUNDS. A recipient of a grant under
1-38 this chapter may use the grant only for the purchase of the
1-39 following nutritious foods:

1-40 (1) fresh, frozen, or canned meats that are lean or low
1-41 in fat content;

1-42 (2) dry or canned beans;

1-43 (3) nonfat or vegetarian items;

1-44 (4) low-fat nut and seed butters;

1-45 (5) dry-roasted or raw nuts and seeds;

1-46 (6) eggs;

1-47 (7) olive oil;

1-48 (8) canola oil;

1-49 (9) fresh, frozen, or canned fruits with no added
1-50 sugar;

1-51 (10) fresh, frozen, or canned vegetables;

1-52 (11) juices that contain 100 percent fruit juice;

1-53 (12) foods that contain 100 percent whole grains;

1-54 (13) fresh, dry, canned, or ultra-high-temperature
1-55 pasteurized milk that has a fat content of no greater than one
1-56 percent;

1-57 (14) light yogurt; and

1-58 (15) low-fat cheese.

1-59 Sec. 25.004. REPORT. A nonprofit organization that
1-60 receives a grant under this chapter must at regular intervals
1-61 prescribed by the department report the results of the
1-62 organization's program to the department. A report under this
1-63 section for a prescribed reporting period must include:

1-64 (1) a statement of the amount of food purchased and

2-1 distributed using grant funds;
2-2 (2) a statement of the leveraged value of grant funds;
2-3 (3) a list of specific programs that benefited from
2-4 grant funds; and
2-5 (4) a detailed accounting of how grant funds were
2-6 spent.

2-7 Sec. 25.005. RULES. The commissioner may adopt rules as
2-8 necessary to implement this chapter.

2-9 SECTION 2. As soon as possible after the effective date of
2-10 this Act, the Department of Agriculture shall implement the
2-11 children's access to nutritious food program under Chapter 25,
2-12 Agriculture Code, as added by this Act.

2-13 SECTION 3. This Act takes effect September 1, 2009.

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