

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of an advisory committee to study the  
3 retail availability of healthy foods in certain underserved areas  
4 of this state.

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

6 SECTION 1. HEALTHY FOOD ADVISORY COMMITTEE. (a) The  
7 executive commissioner of the Health and Human Services Commission  
8 and the commissioner of the Department of Agriculture shall jointly  
9 establish an advisory committee to study and provide  
10 recommendations to the legislature regarding:

11 (1) the areas of this state that are underserved in the  
12 retail availability of fresh fruits and vegetables and other  
13 healthy foods; and

14 (2) the impact of the limited retail availability on  
15 proper nutrition and on obesity and related chronic illnesses.

16 (b) The advisory committee consists of eight members as  
17 follows:

18 (1) four members appointed by the executive  
19 commissioner of the Health and Human Services Commission; and

20 (2) four members appointed by the commissioner of the  
21 Department of Agriculture.

22 (c) In appointing members of the advisory committee, the  
23 executive commissioner of the Health and Human Services Commission  
24 and the commissioner of the Department of Agriculture shall ensure

1 that the members reflect the diversity of this state, with members  
2 representing:

- 3 (1) rural areas;
- 4 (2) urban areas; and
- 5 (3) different geographical regions of the state.

6 (d) An advisory committee member is not entitled to  
7 reimbursement of expenses or to compensation.

8 (e) The advisory committee shall meet not later than the  
9 30th day after the date the initial appointments are made and shall  
10 select a presiding officer. The committee shall meet regularly as  
11 necessary at the call of the presiding officer.

12 (f) The advisory committee shall:

13 (1) investigate the retail availability of fresh  
14 fruits and vegetables and other healthy foods in this state;

15 (2) develop recommendations for creating and a plan  
16 for implementing a statewide financing program to bring fresh food  
17 retailers into areas of this state that are underserved in regard to  
18 the retail availability of fresh fruits and vegetables and other  
19 healthy foods; and

20 (3) perform other advisory duties as requested by the  
21 executive commissioner of the Health and Human Services Commission  
22 or the commissioner of the Department of Agriculture regarding the  
23 availability of fresh fruits and vegetables and other healthy foods  
24 in this state.

25 (g) Not later than September 1, 2010, the advisory committee  
26 shall submit to the legislature a report outlining:

27 (1) the costs, benefits, and feasibility of a

1 statewide financing program to bring fresh food retailers into  
2 areas of this state that are underserved in regard to the retail  
3 availability of fresh fruits and vegetables and other healthy  
4 foods; and

5 (2) a plan for implementing the program.

6 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,  
7 Government Code, does not apply to the advisory committee  
8 established under this Act.

9 SECTION 3. EXPIRATION. The advisory committee established  
10 under this Act is abolished and this Act expires September 1, 2011.

11 SECTION 4. EFFECTIVE DATE. This Act takes effect  
12 immediately if it receives a vote of two-thirds of all the members  
13 elected to each house, as provided by Section 39, Article III, Texas  
14 Constitution. If this Act does not receive the vote necessary for  
15 immediate effect, this Act takes effect September 1, 2009.