

By: Nelson, Uresti

S.B. No. 344

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of an advisory committee to study the
3 acceptance at farmers markets of food stamps and benefits under the
4 women, infants, and children supplemental food program.

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

6 SECTION 1. ESTABLISHMENT OF ADVISORY COMMITTEE. (a) In
7 this Act:

8 (1) "Farmers market" means a location at which a group
9 of two or more farmers that are certified under the Department of
10 Agriculture's farmers market certification program offer produce
11 for retail sale.

12 (2) "Food stamp program" means the program operated
13 under 7 U.S.C. Chapter 51 and administered under Chapter 33, Human
14 Resources Code.

15 (3) "W.I.C. program" means the federal special
16 supplemental food program for women, infants, and children
17 administered by the Department of State Health Services.

18 (b) The executive commissioner of the Health and Human
19 Services Commission and the commissioner of the Department of
20 Agriculture shall jointly establish an advisory committee to study
21 and provide recommendations to the legislature regarding the
22 incorporation and use of food stamps and W.I.C. program benefits at
23 farmers markets in the state.

24 (c) The advisory committee consists of nine members

1 appointed as follows:

2 (1) the commissioner of the Department of Agriculture
3 shall appoint four representatives of farmers market vendors, with
4 two members representing urban farmers markets and two members
5 representing rural farmers markets or roadside stands; and

6 (2) the executive commissioner of the Health and Human
7 Services Commission shall appoint:

8 (A) one representative of an advocacy group for
9 W.I.C. program recipients, such as a charity or consumer group;

10 (B) one representative of an advocacy group for
11 food stamp recipients, such as a charity or consumer group;

12 (C) one representative of staff at W.I.C. program
13 clinics;

14 (D) one representative of a health and human
15 services agency who is a subject matter expert on the W.I.C.
16 program; and

17 (E) one representative of a health and human
18 services agency who is a subject matter expert on the food stamp
19 program.

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

22 (e) The advisory committee shall meet within 30 days after
23 the date the initial appointments have been made and shall select a
24 presiding officer. The committee shall meet regularly as
25 necessary.

26 (f) The advisory committee shall:

27 (1) study the costs and benefits of incorporating food

1 stamp and W.I.C. program benefits at farmers markets for the
2 purchase of fresh, local produce;

3 (2) determine the feasibility and cost of providing
4 handheld scanners to farmers market vendors to accept electronic
5 benefits transfer (EBT) cards;

6 (3) determine methods of marketing and outreach to
7 farmers market vendors and food stamp and W.I.C. program
8 participants to encourage the use of food stamps and W.I.C. program
9 benefits to purchase fresh, local produce from farmers markets;

10 (4) study methods of funding the transition to farmers
11 market participation in the food stamp and W.I.C. programs,
12 including federal, state, and private funding; and

13 (5) perform other advisory duties as requested by the
14 executive commissioner of the Health and Human Services Commission
15 or the commissioner of the Department of Agriculture regarding the
16 acceptance of food stamps and W.I.C. program benefits at farmers
17 markets.

18 (g) The Department of Agriculture shall provide
19 administrative support, including staff, for the advisory
20 committee.

21 (h) Not later than September 1, 2010, the advisory committee
22 shall submit to the legislature a report outlining the costs,
23 benefits, and feasibility of incorporating food stamp and W.I.C.
24 program benefits at farmers markets to purchase fresh, local
25 produce.

26 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,
27 Government Code, does not apply to the advisory committee

1 established under this Act.

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

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