

1-1 By: Nelson S.B. No. 344
1-2 (In the Senate - Filed December 8, 2008; February 11, 2009,
1-3 read first time and referred to Committee on Agriculture and Rural
1-4 Affairs; March 30, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 March 30, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 344 By: Uresti

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment of an advisory committee to study the
1-11 acceptance at farmers markets of food stamps and benefits under the
1-12 women, infants, and children supplemental food program.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. ESTABLISHMENT OF ADVISORY COMMITTEE. (a) In
1-15 this Act:

1-16 (1) "Farmers market" means a location at which a group
1-17 of two or more farmers that are certified under the Department of
1-18 Agriculture's farmers market certification program offer produce
1-19 for retail sale.

1-20 (2) "Food stamp program" means the program operated
1-21 under 7 U.S.C. Chapter 51 and administered under Chapter 33, Human
1-22 Resources Code.

1-23 (3) "W.I.C. program" means the federal special
1-24 supplemental food program for women, infants, and children
1-25 administered by the Department of State Health Services.

1-26 (b) The executive commissioner of the Health and Human
1-27 Services Commission and the commissioner of the Department of
1-28 Agriculture shall jointly establish an advisory committee to study
1-29 and provide recommendations to the legislature regarding the
1-30 incorporation and use of food stamps and W.I.C. program benefits at
1-31 farmers markets in the state.

1-32 (c) The advisory committee consists of nine members
1-33 appointed as follows:

1-34 (1) the commissioner of the Department of Agriculture
1-35 shall appoint four representatives of farmers market vendors, with
1-36 two members representing urban farmers markets and two members
1-37 representing rural farmers markets or roadside stands; and

1-38 (2) the executive commissioner of the Health and Human
1-39 Services Commission shall appoint:

1-40 (A) one representative of an advocacy group for
1-41 W.I.C. program recipients, such as a charity or consumer group;

1-42 (B) one representative of an advocacy group for
1-43 food stamp recipients, such as a charity or consumer group;

1-44 (C) one representative of staff at W.I.C. program
1-45 clinics;

1-46 (D) one representative of a health and human
1-47 services agency who is a subject matter expert on the W.I.C.
1-48 program; and

1-49 (E) one representative of a health and human
1-50 services agency who is a subject matter expert on the food stamp
1-51 program.

1-52 (d) An advisory committee member is not entitled to
1-53 reimbursement of expenses or to compensation.

1-54 (e) The advisory committee shall meet within 30 days after
1-55 the date the initial appointments have been made and shall select a
1-56 presiding officer. The committee shall meet regularly as
1-57 necessary.

1-58 (f) The advisory committee shall:

1-59 (1) study the costs and benefits of incorporating food
1-60 stamp and W.I.C. program benefits at farmers markets for the
1-61 purchase of fresh, local produce;

1-62 (2) determine the feasibility and cost of providing
1-63 handheld scanners to farmers market vendors to accept electronic

2-1 benefits transfer (EBT) cards;
2-2 (3) determine methods of marketing and outreach to
2-3 farmers market vendors and food stamp and W.I.C. program
2-4 participants to encourage the use of food stamps and W.I.C. program
2-5 benefits to purchase fresh, local produce from farmers markets;
2-6 (4) study methods of funding the transition to farmers
2-7 market participation in the food stamp and W.I.C. programs,
2-8 including federal, state, and private funding; and
2-9 (5) perform other advisory duties as requested by the
2-10 executive commissioner of the Health and Human Services Commission
2-11 or the commissioner of the Department of Agriculture regarding the
2-12 acceptance of food stamps and W.I.C. program benefits at farmers
2-13 markets.
2-14 (g) The Department of Agriculture shall provide
2-15 administrative support, including staff, for the advisory
2-16 committee.
2-17 (h) Not later than September 1, 2010, the advisory committee
2-18 shall submit to the legislature a report outlining the costs,
2-19 benefits, and feasibility of incorporating food stamp and W.I.C.
2-20 program benefits at farmers markets to purchase fresh, local
2-21 produce.
2-22 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,
2-23 Government Code, does not apply to the advisory committee
2-24 established under this Act.
2-25 SECTION 3. EXPIRATION. The advisory committee established
2-26 under this Act is abolished and this Act expires September 1, 2011.
2-27 SECTION 4. EFFECTIVE DATE. This Act takes effect
2-28 immediately if it receives a vote of two-thirds of all the members
2-29 elected to each house, as provided by Section 39, Article III, Texas
2-30 Constitution. If this Act does not receive the vote necessary for
2-31 immediate effect, this Act takes effect September 1, 2009.

2-32

* * * * *