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H.B. No. 127

A BILL TO BE ENTITLED

AN ACT

relating to the types of beverages that may be sold to students on public school campuses.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.0021 to read as follows:

Sec. 12.0021. BEVERAGES ALLOWED TO BE SOLD TO STUDENTS ON PUBLIC SCHOOL CAMPUSES. (a) Except as provided by Subsection (b), a public school may not sell or allow to be sold to a student on the school campus any type of beverage other than the following:

(1) water without added sweetener;

(2) milk with a fat content of one percent or less;

(3) fluid milk substitutions permitted by the United States Department of Agriculture under 7 C.F.R. Section 210.10;

(4) 100 percent vegetable juice;

(5) 100 percent fruit juice;

(6) zero-calorie electrolyte replacement or zero-calorie vitamin enhanced water beverages; or

(7) an electrolyte replacement beverage other than one described by Subdivision (6), but only if the electrolyte replacement beverage is provided at the discretion of a coach to students engaged in vigorous physical activity lasting at least one hour.

(b) Subsection (a) does not apply:

- 1 (1) on a day that school is not in session;
2 (2) before the beginning of the breakfast period; or
3 (3) after the end of the last instruction period of the
4 day.

5 (c) The department may adopt rules as necessary to
6 administer this section.

7 SECTION 2. This Act applies beginning with the 2012-2013
8 school year.

9 SECTION 3. This Act takes effect September 1, 2011.