

By: Alvarado, King of Taylor, Lucio III,
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H.B. No. 127

Substitute the following for H.B. No. 127:

By: Kolkhorst

C.S.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; or

(6) an electrolyte replacement beverage, 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) on a day that school is not in session;

(2) before the beginning of the breakfast period; or

(3) after the end of the last instruction period of the

1 day.

2 (c) The department may adopt rules as necessary to
3 administer this section.

4 SECTION 2. This Act applies beginning with the 2012-2013
5 school year.

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