

By: Alvarado

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 two percent or less;

(3) soy milk, rice milk, or similar nondairy milk;

(4) vegetable juice that:

(A) contains at least 50 percent vegetable juice;

and

(B) does not contain added sweetener;

(5) fruit juice that:

(A) contains at least 50 percent fruit juice; and

(B) does not contain added sweetener; or

(6) an electrolyte replacement beverage that contains not more than 42 grams of added sweetener per 20-ounce serving or an equivalent amount of added sweetener per serving.

(b) Subsection (a) does not apply:

1 (1) on a day that school is not in session; or
2 (2) beginning at least one-half hour after the end of a
3 school day.

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

6 SECTION 2. This Act applies beginning with the 2011-2012
7 school year.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2011.