

By: Raymond

H.B. No. 1151

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the purchase of certain food items under the supplemental nutritional assistance program.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Section 33.030 to read as follows:

Sec. 33.030. PURCHASE OF CERTAIN FOOD ITEMS PROHIBITED UNDER SNAP. (a) In this section:

(1) "Milk product" means a natural milk product regardless of animal source or butterfat content and regardless of whether reconstituted, including milk in liquid form, milk concentrate, and dehydrated milk.

(2) "Sugary food item" means a food item to which a natural or artificial sweetener is added that contains more than 10 calories per 8 ounces of the item.

(3) "Sweetened beverage" means a nonalcoholic beverage to which a natural or artificial sweetener is added that is sold for human consumption, including a soft drink, a fruit or vegetable juice, and other flavored beverages.

(b) Except as provided by Subsection (c), a recipient may not use supplemental nutritional assistance benefits to purchase:

(1) a sweetened beverage;

(2) another sugary food item; or

(3) any food item, regardless of natural or artificial

1 sweetener content, that contains more than 10 grams of fat per  
2 serving, according to the manufacturer's label on the food or other  
3 documentation by the manufacturer, as required by state or federal  
4 law.

5 (c) The prohibition under Subsection (b) does not apply to  
6 the purchase of:

7 (1) a milk product;

8 (2) a milk substitute, including soy milk, rice milk,  
9 or almond milk;

10 (3) a beverage in which the only added sweetener does  
11 not add calories to the beverage;

12 (4) a beverage intended by the manufacturer for  
13 consumption by an infant that is commonly referred to as "infant  
14 formula";

15 (5) a beverage intended by the manufacturer for use  
16 for weight reduction; or

17 (6) a fruit or vegetable juice to which no sugar has  
18 been added.

19 SECTION 2. If before implementing any provision of this Act  
20 a state agency determines that authorization from a federal agency  
21 is necessary for implementation of that provision, the agency  
22 affected by the provision shall request the authorization and may  
23 delay implementing that provision until the authorization is  
24 granted.

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