

By: King of Taylor

H.B. No. 3451

Substitute the following for H.B. No. 3451:

By: Taylor of Collin

C.S.H.B. No. 3451

A BILL TO BE ENTITLED

1 AN ACT

2 relating to improving nutrition and health outcomes among  
3 recipients of benefits under the supplemental nutrition assistance  
4 program.

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

6 SECTION 1. FINDINGS AND DECLARATION OF POLICY. The  
7 legislature finds that:

8 (1) Texans are committed to ensuring the health of  
9 families and children and understand the importance of the role  
10 preventive health care measures have on population health and the  
11 state economy;

12 (2) consuming healthy foods such as fruits,  
13 vegetables, whole grains, fat-free and low-fat dairy products, and  
14 seafood, and consuming fewer foods with sodium, saturated and trans  
15 fats, added sugars, and refined grains, are important preventive  
16 health care measures; and

17 (3) public benefits programs that provide recipients  
18 with access to an adequate and nutritional diet should incorporate  
19 sound nutritional principles and promote the health and well-being  
20 of recipients.

21 SECTION 2. WAIVER OR OTHER AUTHORIZATION TO IMPROVE  
22 NUTRITION AND HEALTH OUTCOMES UNDER CERTAIN PROGRAMS. (a) The  
23 executive commissioner of the Health and Human Services Commission  
24 shall develop and seek a waiver or other appropriate authorization

1 from the United States secretary of agriculture under Section 17,  
2 Food and Nutrition Act of 2008 (7 U.S.C. Section 2026), to make  
3 changes to the supplemental nutrition assistance program provided  
4 under Chapter 33, Human Resources Code, to improve nutrition and  
5 health outcomes among recipients of benefits under the program.

6 (b) In developing the waiver or other authorization under  
7 Subsection (a) of this section, the executive commissioner of the  
8 Health and Human Services Commission may consider the feasibility,  
9 including the costs and benefits, of:

10 (1) restricting the purchase of certain food items  
11 with minimal nutritional value under the supplemental nutrition  
12 assistance program; and

13 (2) promoting healthy food choices by recipients of  
14 benefits under the program.

15 (c) In developing the waiver or other authorization under  
16 Subsection (a) of this section, the executive commissioner of the  
17 Health and Human Services Commission shall solicit input from  
18 interested persons, including state agencies that administer  
19 nutritional assistance programs, nonprofit organizations that  
20 administer hunger relief programs, health care providers,  
21 nutrition experts, food retailers, and food industry  
22 representatives.

23 (d) As soon as practicable after the effective date of this  
24 Act, the executive commissioner of the Health and Human Services  
25 Commission shall apply for and actively pursue the waiver or other  
26 authorization as required by Subsection (a) of this section.

27 SECTION 3. EFFECTIVE DATE. This Act takes effect

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