

By: Patrick

H.B. No. 3467

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on school districts making available to students food containing industrially produced trans fat.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0111 to read as follows:

Sec. 38.0111. RESTRICTIONS ON FOOD CONTAINING INDUSTRIALLY PRODUCED TRANS FAT. (a) In this section:

(1) "Industrially produced trans fat" includes vegetable shortening, margarine, and partially hydrogenated vegetable oil.

(2) "School food service establishment" means a place that regularly sells or serves food on a school campus.

(b) Except as provided by Subsection (c) or (d), a school district may not make available to students through a vending machine or a school food service establishment a food that contains industrially produced trans fat or that was prepared using another food that contains industrially produced trans fat.

(c) Subsection (b) does not apply on a day that school is not in session or:

(1) earlier than 30 minutes before the beginning of the first scheduled class of the day; or

(2) later than 30 minutes after the conclusion of the last scheduled class of the day.

1        (d) Subsection (b) does not apply to a food that:

2                (1) is provided to a school district as part of a  
3 United States Department of Agriculture meal program; or

4                (2) contains zero grams of trans fat per serving,  
5 according to the manufacturer's documentation or the label on the  
6 food, as required by state or federal law or regulations.

7        (e) The commissioner may adopt rules as necessary for the  
8 administration of this section.

9        SECTION 2. Section 38.0111, Education Code, as added by  
10 this Act, applies beginning with the 2012-2013 school year.

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