

By: Martinez Fischer

H.B. No. 3680

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the types of food or beverages that may be sold to
3 students on public school campuses.

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

5 SECTION 1. Chapter 12, Agriculture Code, is amended by
6 adding Section 12.0021 to read as follows:

7 Sec. 12.0021. FOOD OR BEVERAGES ALLOWED TO BE SOLD TO
8 STUDENTS ON PUBLIC SCHOOL CAMPUSES. (a) Except as provided by
9 Subsection (b), a public school may not sell or allow to be sold to a
10 student on the school campus:

11 (1) any food determined under department guidelines to
12 be a food of minimal nutritional value; or

13 (2) any type of beverage other than the following:

14 (A) water without added sweetener;

15 (B) milk with a fat content of two percent or
16 less;

17 (C) soy milk, rice milk, or similar nondairy
18 milk;

19 (D) vegetable juice that:

20 (i) contains at least 50 percent vegetable
21 juice; and

22 (ii) does not contain added sweetener; or

23 (E) fruit juice that:

24 (i) contains at least 50 percent fruit

1 juice; and

2 (ii) does not contain added sweetener.

3 (b) Subsection (a) does not apply:

4 (1) on a day that school is not in session; or

5 (2) beginning at least one-half hour after the end of a
6 school day.

7 (c) The department may adopt rules as necessary to
8 administer this section.

9 SECTION 2. This Act applies beginning with the 2011-2012
10 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.