

1-1 By: Nelson S.B. No. 81
1-2 (In the Senate - Filed November 8, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; February 22, 2011, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; February 22, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to food manufacturers, food wholesalers, and warehouse
1-9 operators required to hold a license.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 431.2211, Health and
1-12 Safety Code, is amended to read as follows:

1-13 (a) A person is not required to hold a license under this
1-14 subchapter if the person is:

1-15 (1) a person, firm, or corporation that only harvests,
1-16 packages, or washes~~[, or ships]~~ raw fruits or vegetables for
1-17 shipment at the location of harvest;

1-18 (2) an individual who only sells prepackaged
1-19 nonperishable foods, including dietary supplements, from a private
1-20 home as a direct seller;

1-21 (3) a person who holds a license under Chapter 432 and
1-22 who only engages in conduct within the scope of that license; or

1-23 (4) a restaurant that provides food for immediate
1-24 human consumption to a political subdivision or to a licensed
1-25 nonprofit organization if the restaurant would not otherwise be
1-26 required to hold a license under this subchapter.

1-27 SECTION 2. This Act takes effect September 1, 2012.

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