

By: Lucio

S.B. No. 1454

A BILL TO BE ENTITLED

AN ACT

relating to the membership and duties of the interagency obesity council.

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

SECTION 1. Section 114.002, Health and Safety Code, is amended to read as follows:

Sec. 114.001. INTERAGENCY OBESITY COUNCIL. (a) The interagency council shall provide leadership to the commissioner of agriculture, the commissioner of state health services, and the commissioner of education in developing, implementing, and coordinating programs that promote better health and nutrition, increase access to healthy foods, and prevent obesity among children and adults in this state.

(b) The council is composed of:

(1) a representative of:

(A) the Department of Agriculture, appointed by the commissioner of agriculture;

(B) the Texas Education Agency, appointed by the commissioner of education; and

(C) the Department of State Health Services, appointed by the commissioner of state health services; and

(2) at least one representative of each of the following groups, appointed by the commissioner of agriculture:

(A) educational institutions that conduct

1 research in the areas of agriculture, health, and nutrition;
2 (B) health professionals with expertise in
3 nutrition;
4 (C) fruit and vegetable producer organizations;
5 (D) food retailers;
6 (E) child nutrition and advocacy organizations;
7 and
8 (F) economic development professionals with
9 expertise in the area of supermarket development.

10 (c) In appointing members of the council under Subsection
11 (b)(2), the commissioner of agriculture shall ensure that the
12 members reflect the diversity of this state, with members
13 representing:

- 14 (1) rural areas;
15 (2) urban areas; and
16 (3) different geographical regions of the state.

17 (d) Members of the council shall select one member to serve
18 as presiding officer [~~The council is composed of the commissioner~~
19 ~~of agriculture, the commissioner of state health services, and the~~
20 ~~commissioner of education, or a staff member designated by each of~~
21 ~~those commissioners~~].

22 SECTION 2. Section 114.005, Health and Safety Code, is
23 amended to read as follows:

24 Sec. 114.005. DUTIES OF THE COUNCIL [~~REVIEW OF AGENCY~~
25 ~~PROGRAMS~~]. (a) The council shall review the status of the
26 programs of the Department of Agriculture, the Department of State
27 Health Services, and the Texas Education Agency that promote better

1 health and nutrition and prevent obesity among children and adults
2 in this state.

3 (b) The council shall:

4 (1) identify best practices to promote better health
5 and nutrition, increase access to healthy foods, and prevent
6 obesity among children and adults;

7 (2) develop recommendations for creating and
8 implementing a statewide financing program to bring fresh food
9 retailers into areas of this state that are underserved in regard to
10 the retail availability of fresh fruits and vegetables and other
11 healthy foods;

12 (3) develop recommendations to facilitate the
13 availability of locally grown food products in child care programs
14 and public schools;

15 (4) consider the feasibility of tax incentives for
16 employers who promote activities designed to reduce obesity in the
17 workforce;

18 (5) consider the feasibility of financial incentives
19 to encourage recipients of benefits under a nutritional assistance
20 program under Chapter 33, Human Resources Code, to purchase more
21 fresh fruits and vegetables and other healthy foods; and

22 (6) provide assistance as requested by the
23 commissioner of agriculture, the commissioner of state health
24 services, or the commissioner of education regarding programs that
25 promote better health and nutrition, increase access to healthy
26 foods, or prevent obesity among children and adults.

27 SECTION 3. Subsections (a) and (b), Section 114.007, Health

1 and Safety Code, are amended to read as follows:

2 (a) Not later than October 31 [~~January 15~~] of each
3 even-numbered [~~odd-numbered~~] year, the council shall submit a
4 report to the governor, the lieutenant governor, and the speaker of
5 the house of representatives on the activities of the council under
6 Sections 114.005 and 114.006 during the preceding two calendar
7 years.

8 (b) A report submitted by the council under Subsection (a)
9 must include the following information regarding discussions of
10 agency programs and other council activities under Section 114.005:

11 (1) a list of the programs within each agency
12 represented on the council that are designed to promote better
13 health and nutrition;

14 (2) an assessment of the steps taken by each program
15 during the preceding two calendar years;

16 (3) a report of the progress made by taking these steps
17 in reaching each program's goals;

18 (4) the areas of improvement that are needed in each
19 program; and

20 (5) recommendations for future goals or legislation.

21 SECTION 4. Subsection (a), Section 114.008, Health and
22 Safety Code, is amended to read as follows:

23 (a) The council shall meet regularly as necessary [~~at least~~
24 ~~once each year~~] to perform its duties under Sections 114.005 and
25 114.006, at the call of the presiding officer.

26 SECTION 5. (a) As soon as practicable after the effective
27 date of this Act, the designated appointing officials shall make

1 appointments to the Interagency Obesity Council to achieve the
2 composition prescribed by Section 114.002, Health and Safety Code,
3 as amended by this Act.

4 (b) Not later than the 30th day after the date all of the
5 appointments required under Subsection (a) of this section have
6 been made, the Interagency Obesity Council shall meet and select a
7 presiding officer.

8 SECTION 6. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2011.