

1-1 By: Hinojosa S.B. No. 1533
1-2 (In the Senate - Filed March 10, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Education; April 20, 2011,
1-4 reported favorably by the following vote: Yeas 8, Nays 0;
1-5 April 20, 2011, sent to printer.)

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

1-8 relating to restrictions on school districts making available to
1-9 students food containing industrially produced trans fat.

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

1-11 SECTION 1. Subchapter A, Chapter 38, Education Code, is
1-12 amended by adding Section 38.0111 to read as follows:

1-13 Sec. 38.0111. RESTRICTIONS ON FOOD CONTAINING INDUSTRIALLY
1-14 PRODUCED TRANS FAT. (a) In this section:

1-15 (1) "Industrially produced trans fat" includes
1-16 vegetable shortening, margarine, and partially hydrogenated
1-17 vegetable oil.

1-18 (2) "School food service establishment" means a place
1-19 that regularly sells or serves food on a school campus.

1-20 (b) Except as provided by Subsection (c) or (d), a school
1-21 district may not make available to students through a vending
1-22 machine or a school food service establishment a food that contains
1-23 industrially produced trans fat or that was prepared using another
1-24 food that contains industrially produced trans fat.

1-25 (c) Subsection (b) does not apply on a day that school is not
1-26 in session or:

1-27 (1) earlier than 30 minutes before the beginning of
1-28 the first scheduled class of the day; or

1-29 (2) later than 30 minutes after the conclusion of the
1-30 last scheduled class of the day.

1-31 (d) Subsection (b) does not apply to a food that:

1-32 (1) is provided to a school district as part of a
1-33 United States Department of Agriculture meal program; or

1-34 (2) contains zero grams of trans fat per serving,
1-35 according to the manufacturer's documentation or the label on the
1-36 food, as required by state or federal law or regulations.

1-37 (e) The commissioner may adopt rules as necessary for the
1-38 administration of this section.

1-39 SECTION 2. Section 38.0111, Education Code, as added by
1-40 this Act, applies beginning with the 2012-2013 school year.

1-41 SECTION 3. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2011.

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