

BILL ANALYSIS

H.B. 523
By: Canales
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The supplemental nutrition assistance program (SNAP) was created to provide millions of low-income individuals and families with nutritional assistance. Federal Food and Drug Administration guidelines are generally used to determine an item's eligibility under the program, but interested parties assert that certain ambiguities in federal regulations allow individuals to purchase energy drinks with SNAP benefits. Industry experts have reported numerous health risks associated with consuming energy drinks, with side effects ranging from insomnia and irritability to irregular heartbeats and death. Concerned observers contend that, in the last decade, hospitals have seen an increase in emergency room visits related to energy drink consumption. H.B. 523 seeks to encourage families and individuals to make healthier choices by regulating the purchase of energy drinks under SNAP.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 523 amends the Human Resources Code to prohibit a recipient of benefits under the supplemental nutrition assistance program from using such benefits to purchase an energy drink and requires the Health and Human Services Commission to conduct a public outreach campaign to promote awareness of this prohibition. The bill defines "energy drink" as a beverage containing at least 65 milligrams of caffeine per 8 fluid ounces that is advertised as being specifically designed to provide metabolic stimulation or an increase to the consumer's mental or physical energy and specifies that the term does not include coffee or any substantially coffee-based beverage.

EFFECTIVE DATE

September 1, 2013.