

## **BILL ANALYSIS**

H.B. 910  
By: Kolkhorst  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In Texas, food producers who sell directly to consumers must meet the permitting and fee requirements of multiple regulating entities, such as county authorities, public health authorities, local public health departments, and the Department of State Health Services. These requirements vary depending on the jurisdiction in which the food producer is selling. Interested parties contend that, because many farmers and food producers are small business owners with a low profit margin and sell in multiple and less affluent areas, the permitting requirements and fees create a financial burden on certain farmers and producers. Permitting requirements and fees may also discourage these farmers and food producers from participating in farmers' markets.

H.B. 910 seeks to ease the burden on these farmers and food producers and encourage greater participation in farmers' markets by placing limitations on the required permits and fees.

### **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. 910 amends the Health and Safety Code to prohibit a permit issued by a county, a public health district, the Department of State Health Services, or a local health department to a farmer for the sale of food directly to consumers at a farmers' market, a roadside stand, or the farmer's farm and to an individual who prepares food for sale at a farmers' market from expiring earlier than one year after issuance or renewal. The bill prohibits such a permit from being subject to an annual fee of more than \$50 for issuance or renewal and requires such a permit to cover sales at all locations within the jurisdiction of the permitting authority.

H.B. 910 repeals Section 437.0201(c), Health and Safety Code.

### **EFFECTIVE DATE**

September 1, 2013.