

By: Kolkhorst

H.B. No. 910

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain direct sales of food to consumers.

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

SECTION 1. Chapter 437, Health and Safety Code, is amended by adding Section 437.0065 to read as follows:

Sec. 437.0065. PERMITS FOR CERTAIN FARMERS AND FOOD PRODUCERS. (a) In this section, "farmers' market" has the meaning assigned by Section 437.0201.

(b) This section applies only to a permit issued under this chapter to:

(1) a farmer for the sale of food directly to consumers at a farmers' market, a roadside stand, or the farmer's farm; and

(2) an individual who prepares food for sale at a farmers' market.

(c) A permit issued under Section 437.003, 437.004, 437.0055, or 437.0201 to a person described by Subsection (b):

(1) may not expire earlier than one year after issuance or renewal;

(2) may not be subject to a fee of more than \$50 each year for issuance or renewal; and

(3) must cover sales at all locations within the jurisdiction of the permitting authority.

SECTION 2. Section 437.0201(b), Health and Safety Code, is

1 amended to read as follows:

2 (b) The department or a local health department may issue a
3 temporary food establishment permit to a person who sells food at a
4 farmers' market, subject to Section 437.0065 [~~without limiting the~~
5 ~~number of days for which the permit is effective to the number of~~
6 ~~days during which the farmers' market takes place~~].

7 SECTION 3. Section 437.0201(c), Health and Safety Code, is
8 repealed.

9 SECTION 4. The change in law made by this Act applies only
10 to an original or renewal permit issued on or after the effective
11 date of this Act. A permit issued before the effective date of this
12 Act is covered by the law in effect when the permit was issued, and
13 the former law is continued in effect for that purpose.

14 SECTION 5. This Act takes effect September 1, 2013.