

By: King of Taylor, Riddle, White,  
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H.B. No. 948

Substitute the following for H.B. No. 948:

By: Raymond

C.S.H.B. No. 948

A BILL TO BE ENTITLED

AN ACT

relating to the operation and administration of the supplemental  
nutrition assistance program.

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

SECTION 1. Subchapter A, Chapter 33, Human Resources Code,  
is amended by adding Sections 33.032, 33.033, and 33.034 to read as  
follows:

Sec. 33.032. PILOT PROJECTS TO ENCOURAGE HEALTHY FOOD  
CHOICES. (a) The department shall develop and seek waivers or  
other appropriate authorization from the United States Department  
of Agriculture or other applicable federal agency to implement the  
following separate pilot projects:

(1) a five-year pilot project in which recipients of  
benefits under the supplemental nutrition assistance program are  
provided targeted nutrition education or nutrition guidelines to  
encourage the recipients to purchase healthy foods; and

(2) a five-year pilot project in which recipients of  
benefits under the supplemental nutrition assistance program  
receive additional benefits at the point of sale if the recipients  
purchase certain healthy foods.

(b) A pilot project developed under this section may be  
implemented only in a municipality or county the governing body of  
which authorizes participation in the pilot project.

(c) Not later than the 30th day after the two-year

1 anniversary and the four-year anniversary of the date of the  
2 commencement of each pilot project implemented under this section,  
3 the department shall submit a report containing an update on the  
4 pilot project to the legislature.

5 (d) Not later than the 90th day after the date a pilot  
6 project implemented under this section is completed, the department  
7 shall submit a report containing an evaluation of the pilot project  
8 to the legislature, including recommendations regarding the  
9 continuation or expansion of the project.

10 (e) The department shall make available to the United States  
11 Department of Agriculture or other applicable federal agency any  
12 report prepared under Subsection (c) or (d) and any data collected  
13 by the department in relation to the report.

14 (f) The department may collaborate with a public or private  
15 institution of higher education in preparing the reports required  
16 under Subsections (c) and (d).

17 Sec. 33.033. ADVERTISING BY SNAP RETAILERS. (a) In this  
18 section, "retailer" means a business approved for participation in  
19 the supplemental nutrition assistance program.

20 (b) The department shall:

21 (1) encourage a retailer to promote the purchase of  
22 healthy foods in any advertising displayed by the retailer relating  
23 to the retailer's participation in the supplemental nutrition  
24 assistance program; and

25 (2) discourage a retailer from displaying advertising  
26 relating to the retailer's participation in the supplemental  
27 nutrition assistance program near food of minimal nutritional

1 value.

2 (c) In this section, "food of minimal nutritional value" has  
3 the meaning assigned by 7 C.F.R. Section 210.11(a)(2).

4 Sec. 33.034. REPORT ON EFFORTS TO ENCOURAGE HEALTHY FOOD  
5 PURCHASES. (a) Not later than December 1 of each even-numbered  
6 year, the department shall submit to the legislature a report  
7 summarizing the department's efforts to:

8 (1) discourage recipients of supplemental nutrition  
9 assistance benefits from purchasing food of minimal nutritional  
10 value, as defined by Section 33.033; and

11 (2) encourage recipients of supplemental nutrition  
12 assistance benefits to purchase healthy foods.

13 (b) If appropriate, the department may include a report  
14 required under Subsection (a) in another report that the department  
15 is required to submit to the legislature.

16 SECTION 2. If before implementing any provision of this Act  
17 a state agency determines that a waiver or authorization from a  
18 federal agency is necessary for implementation of that provision,  
19 the agency affected by the provision shall request the waiver or  
20 authorization and may delay implementing that provision until the  
21 waiver or authorization is granted.

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2013.