

By: King of Hemphill, Otto,  
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H.B. No. 1781

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on sanctions imposed on school districts  
for the sale of foods of minimal nutritional value.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by  
adding Section 12.0028 to read as follows:

Sec. 12.0028. LIMITATION ON SANCTIONS IMPOSED ON SCHOOL  
DISTRICTS FOR SALE OF FOODS OF MINIMAL NUTRITIONAL VALUE. (a) In  
this section, "food of minimal nutritional value" has the meaning  
assigned by 7 C.F.R. Section 210.11(a)(2).

(b) The department may not impose on a school district a  
sanction, including disallowing meal reimbursement, based on the  
sale to students at a high school of food of minimal nutritional  
value, if the sale is approved in advance by the school and is made:

(1) outside of a school area designated for food  
service or food consumption or during a period other than a school  
meal service period; and

(2) for the purpose of raising money for a student  
organization or activity sponsored or sanctioned by the school or  
the school district in which the school is located.

SECTION 2. This Act takes effect immediately if it receives  
a vote of two-thirds of all the members elected to each house, as  
provided by Section 39, Article III, Texas Constitution. If this  
Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.