

By: N. Gonzalez of El Paso

H.B. No. 1827

A BILL TO BE ENTITLED

AN ACT

relating to advertising by retailers participating in 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 Section 33.038 to read as follows:

Sec. 33.038. ADVERTISING BY SNAP RETAILERS. (a) In this section, "retailer" means a business approved for participation in the supplemental nutrition assistance program.

(b) A retailer may not affix a tag or sticker to or display a sign near food or drink items with minimal nutritional value that:

(1) advertises the retailer's participation in the supplemental nutrition assistance program; or

(2) encourages recipients of supplemental nutrition assistance benefits to purchase those food or drink items.

(c) The executive commissioner by rule shall define "minimal nutritional value" for purposes of this section.

SECTION 2. Not later than January 1, 2014, the executive commissioner of the Health and Human Services Commission shall adopt the rules required by Section 33.038, Human Resources Code, as added by this Act.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision,

1 the agency affected by the provision shall request the waiver or
2 authorization and may delay implementing that provision until the
3 waiver or authorization is granted.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2013.