

By: Ellis

S.B. No. 1135

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain donations by school districts or public schools
3 of food provided to the district or school through the national free
4 or reduced-price school lunch program.

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

6 SECTION 1. Subchapter Z, Chapter 33, Education Code, is
7 amended by adding Section 33.905 to read as follows:

8 Sec. 33.905. DONATIONS OF FOOD. (a) A school district or
9 school participating in the national free or reduced-price lunch
10 program established under 42 U.S.C. Section 1751 et seq. may donate
11 any food provided to the district or school through the program and
12 not consumed under the program to a local food bank or charitable
13 organization that is exempt from federal income tax under Section
14 501(a), Internal Revenue Code of 1986, by being described by
15 Section 501(c)(3) of that code.

16 (b) A school district or school making a donation under
17 Subsection (a) is exempt from civil and criminal liability to the
18 extent provided under 42 U.S.C. Section 1791.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.