

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

February 25, 2013

TO: Honorable Lois W. Kolkhorst, Chair, House Committee On Public Health

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB910 by Kolkhorst (Relating to the regulation of certain direct sales of food to consumers.), **As Introduced**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would add Section 437.0065 to the Health and Safety Code to specify permit requirements for certain farmers and food producers; and would define farmers' market as a designated location used primarily for the distribution and sale directly to consumers of food products by farmers or other producers. A permit issued under Chapter 437 would not expire earlier than one year after issuance or renewal; would not be subject to a fee of more than \$50 each year; and would cover all sales at all locations within the jurisdiction.

The bill would repeal Section 437.0201 (c) of the Health and Safety Code that allows a temporary food establishment permit issued to a person who sells food at a farmers' market to be valid for up to one year and renewable on expiration.

DSHS indicates the provisions of the bill will have no fiscal impact on the agency.

Local Government Impact

There could be a significant loss of revenue to a local governmental entity for the maximum allowable permit fee of \$50 that would be valid for one year and apply to all sales at all locations in a jurisdiction. Local governments that host more farmers' markets, roadside stands, or farmer's farms throughout a year would experience a greater loss of revenue; however, those amounts would vary depending on the frequency of events and the number of vendor permits issued.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, CL, TP, CH