

By: King of Taylor

H.B. No. 1846

A BILL TO BE ENTITLED

1 AN ACT
2 relating to notification by certain state agencies of the
3 implementation or enforcement of the Federal Food, Drug, and
4 Cosmetic Act.

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

6 SECTION 1. Subchapter K, Chapter 431, Health and Safety
7 Code, is amended by adding Section 431.250 to read as follows:

8 Sec. 431.250. NOTIFICATION OF IMPLEMENTATION OR
9 ENFORCEMENT OF FEDERAL ACT. Before the department or the
10 Department of Agriculture may enter into an agreement, memorandum
11 of understanding, or contract with a federal agency to implement or
12 enforce a provision of the federal Act, the affected department
13 shall:

14 (1) publish the proposed agreement, memorandum, or
15 contract in the Texas Register;

16 (2) allow at least 90 days for the public to submit
17 comments after publication;

18 (3) consult with and provide a copy of the submitted
19 public comments to the presiding officers of the standing
20 committees of the senate and house of representatives having
21 primary jurisdiction over food safety regulations; and

22 (4) publish a final notice in the Texas Register that
23 includes:

24 (A) a summary of the public comments and

1 consultation with the presiding officers;

2 (B) a determination on whether the affected
3 department will enter into the proposed agreement, memorandum, or
4 contract; and

5 (C) any changes made as a result of the public
6 comments or consultation with the presiding officers.

7 SECTION 2. The change in law made by this Act applies only
8 to an agreement, memorandum of understanding, or contract entered
9 into on or after the effective date of this Act. An agreement,
10 memorandum, or contract entered into before the effective date of
11 this Act is governed by the law in effect on the date the agreement,
12 memorandum, or contract was entered into, and that law is continued
13 in effect for that purpose.

14 SECTION 3. This Act takes effect September 1, 2015.