

By: King of Uvalde, Moody

H.B. No. 3944

A BILL TO BE ENTITLED

1 AN ACT
2 relating to judicial review of final orders arising out of
3 nutritional programs administered by the Texas Department of
4 Agriculture.

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

6 SECTION 1. Section 12.0025, Agriculture Code, is amended to
7 read as follows:

8 Sec. 12.0025. NUTRITION PROGRAMS. (a) The department
9 shall administer the following federal and state nutrition
10 programs:

11 (1) the commodity supplemental food program under 7
12 U.S.C. Section 612c;

13 (2) the food distribution program under 7 U.S.C.
14 Section 612c;

15 (3) the emergency food assistance program under 7
16 U.S.C. Section 7501 et seq.;

17 (4) the school lunch program under 42 U.S.C. Section
18 1751 et seq.;

19 (5) the summer food service program under 42 U.S.C.
20 Section 1761;

21 (6) the child and adult care food program under 42
22 U.S.C. Section 1766;

23 (7) the special milk program under 42 U.S.C. Section
24 1772; and

1 (8) the school breakfast program under 42 U.S.C.
2 Section 1773.

3 (b) A decision of the department's administrative review
4 official or the State Office of Administrative Hearings is the
5 final administrative determination of the department and not
6 subject to judicial review.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.