

By: King of Uvalde

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 administrated by the Texas Department of  
4 Agriculture.

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

6 SECTION 1. Chapter 12, Section 12.0025 Agriculture Code, is  
7 amended by adding subsection (a) to read as follows:

8 (a) The department shall administer the following federal  
9 and state nutrition programs:

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

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

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

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

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

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

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

24 (8) the school breakfast program under 42 U.S.C.

1 Section 1773.

2 SECTION 2. Chapter 12, Section 12.0025 Agriculture Code, is  
3 amended by adding subsection (b) to read as follows:

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

8 SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2015.