

1-1 By: Lambert, et al. (Senate Sponsor - Johnson) H.B. No. 1694
 1-2 (In the Senate - Received from the House April 29, 2019;
 1-3 April 29, 2019, read first time and referred to Committee on Health
 1-4 & Human Services; May 17, 2019, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to limitations on food regulations at farms, farmers'
 1-20 markets, and cottage food production operations.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 437.020(a)(2), Health and Safety Code,
 1-23 is amended to read as follows:

1-24 (2) "Food" means an agricultural, apicultural,
 1-25 horticultural, silvicultural, viticultural, or vegetable product
 1-26 for human consumption, in either its natural or processed state,
 1-27 that has been produced or processed or otherwise has had value added
 1-28 to the product in this state. The term includes:

1-29 (A) fish or other aquatic species;

1-30 (B) livestock, a livestock product, or a
 1-31 livestock by-product;

1-32 (C) planting seed;

1-33 (D) poultry, a poultry product, or a poultry
 1-34 by-product;

1-35 (E) wildlife processed for food or by-products;

1-36 (F) a product made from a product described by
 1-37 this subdivision by a farmer or other producer, including a cottage
 1-38 food production operation, who grew or processed the product; or

1-39 (G) produce.

1-40 SECTION 2. Section 437.020, Health and Safety Code, is
 1-41 amended by adding Subsections (b-1), (b-2), (b-3), (f), and (g) to
 1-42 read as follows:

1-43 (b-1) The department or a local government authority,
 1-44 including a local health department, may not require a person to
 1-45 obtain a permit under this chapter to provide samples of food at a
 1-46 farm or farmers' market under this section.

1-47 (b-2) A local government authority, including a local
 1-48 health department, may not regulate the provision of samples of
 1-49 food at a farm or farmers' market except as provided by this
 1-50 chapter.

1-51 (b-3) The department or a local government authority,
 1-52 including a local health department, may:

1-53 (1) perform an inspection to enforce the requirements
 1-54 of this section for preparing and distributing samples of food at a
 1-55 farm or farmers' market; and

1-56 (2) require a person to obtain a permit under this
 1-57 chapter to offer for sale or distribution to consumers food cooked
 1-58 at a farm or farmers' market.

1-59 (f) A cottage food production operation may only provide
 1-60 samples of food described by Section 437.001(2-b)(A) produced by
 1-61 the operation.

