

By: Hughes

S.B. No. 931

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of raw milk and raw milk products.

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

SECTION 1. Sections 435.004(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The department shall sample, test, or inspect Grade "A" pasteurized milk and milk products, Grade "A" raw milk and milk products [~~for pasteurization~~], milk for manufacturing purposes, and dairy products that are offered for sale.

(c) Sampling, testing, and inspection of Grade "A" pasteurized milk and milk products and Grade "A" raw milk and milk products [~~for pasteurization~~] shall include, in addition to any other tests that may be required, tests for:

- (1) plate count or direct microscopic count;
- (2) antibiotics;
- (3) sediments;
- (4) phosphatase; and
- (5) water and any elements foreign to the natural contents of Grade "A" pasteurized milk and milk products and Grade "A" raw milk and milk products [~~for pasteurization~~].

SECTION 2. Subchapter B, Chapter 435, Health and Safety Code, is amended by adding Section 435.022 to read as follows:

Sec. 435.022. RETAIL SALE OF RAW MILK AND MILK PRODUCTS.

(a) Subject to Subsection (b), raw milk and milk products may be

1 sold at retail in this state in the same manner as pasteurized milk
2 or milk products only if the raw milk or milk products are produced
3 in this state.

4 (b) A person who produces raw milk or raw milk products for
5 sale at retail in this state shall maintain a liability insurance
6 policy that provides liability coverage of not less than \$1 million
7 for damages arising from the consumption of raw milk or a raw milk
8 product sold by the person. The insurance policy must be issued by
9 an insurance company that is authorized to engage in business in
10 this state.

11 SECTION 3. Section [435.013](#), Health and Safety Code, is
12 repealed.

13 SECTION 4. This Act takes effect September 1, 2019.