

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 15, 2019

TO: Honorable Senfronia Thompson, Chair, House Committee on Public Health

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3799 by Buckley (Relating to the advertising and labeling of certain meat food products.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would prohibit labeling food in a manner that is false or misleading and adulterating or misbranding food. The bill would authorize the Department of State Health Services (DSHS) or the Office of the Attorney General (OAG) on behalf of DSHS to seek to enjoin false or misleading labeling or the adulteration of food by petitioning the district court. The bill would authorize DSHS or OAG to recover costs and attorney's fees. The bill would authorize DSHS to embargo and detain food that is adulterated or deceptively labeled. The bill would authorize a person who owns embargoed foods to challenge DSHS' determination in court, and a court could order the food returned and the food to be relabeled or the adulteration corrected under DSHS' supervision.

DSHS indicates that the agency would work with the Health and Human Services Commission (HHSC) to develop necessary rules to comply with the bill's provisions. DSHS, HHSC, the Office of Court Administration, and OAG indicate that the provisions of the bill could be accomplished with existing resources.

Local Government Impact

No significant fiscal impact to local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: WP, AKi, JQ, MNa, AMa