S.B. No. 1351

AN ACT

relating to the donation of food by public school campuses.

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

SECTION 1.  Section 33.907, Education Code, is amended by amending Subsections (b) and (c) and adding Subsection (c-1) to read as follows:

(b)  A school district or open-enrollment charter school may allow a campus to elect to donate food to a nonprofit organization through a person [~~an official of the nonprofit organization~~] who is directly and officially affiliated with the campus, including a teacher or[~~,~~] counselor, or through a parent of a student enrolled at the campus. The donated food may be received, stored, and distributed on the campus. Food donated by the campus may include:

(1)  surplus food prepared for breakfast, lunch, or dinner meals or snacks [~~a snack to be~~] served from [~~at~~] the campus cafeteria, subject to any applicable local, state, and federal requirements; or

(2)  food donated to the campus as the result of a food drive or similar event.

(c)  The type of food donated under Subsection (b)(1) [~~this section~~] may include:

(1)  packaged [~~or unpackaged~~] unserved food that is packaged on the campus of a school district or open-enrollment charter school and has not been removed from the campus cafeteria;

(2)  packaged served food if the packaging and food are [~~is~~] in good condition;

(3)  whole, uncut produce; and

(4)  wrapped raw unserved produce[~~; and~~

[~~(5)  unpeeled fruit required to be peeled before consumption~~].

(c-1)  Food that by law must be maintained at a certain temperature for safety may not be donated unless the campus has maintained the food at the required temperature.

SECTION 2.  This Act takes effect September 1, 2021.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_President of the Senate             Speaker of the House

I hereby certify that S.B. No. 1351 passed the Senate on April 29, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 29, 2021, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 1351 passed the House, with amendment, on May 26, 2021, by the following vote: Yeas 123, Nays 24, two present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor