

1-1 By: Allen, Bernal, Collier (Senate Sponsor - Miles) H.B. No. 2756  
 1-2 (In the Senate - Received from the House May 12, 2021;  
 1-3 May 17, 2021, read first time and referred to Committee on  
 1-4 Education; May 24, 2021, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 24, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio			X	
1-9 Bettencourt	X			
1-10 Hall	X			
1-11 Hughes	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry	X			
1-15 Powell	X			
1-16 Schwertner	X			
1-17 West			X	

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the donation of food by public school campuses.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Section 33.907, Education Code, is amended by  
 1-24 amending Subsections (b) and (c) and adding Subsection (c-1) to  
 1-25 read as follows:  
 1-26 (b) A school district or open-enrollment charter school may  
 1-27 allow a campus to elect to donate food to a nonprofit organization  
 1-28 through a person [~~an official of the nonprofit organization~~] who is  
 1-29 directly and officially affiliated with the campus, including a  
 1-30 teacher or [~~r~~] counselor, or through a parent of a student enrolled  
 1-31 at the campus. The donated food may be received, stored, and  
 1-32 distributed on the campus. Food donated by the campus may include:  
 1-33 (1) surplus food prepared for breakfast, lunch, or  
 1-34 dinner meals or snacks [~~a snack to be~~] served from [~~at~~] the campus  
 1-35 cafeteria, subject to any applicable local, state, and federal  
 1-36 requirements; or  
 1-37 (2) food donated to the campus as the result of a food  
 1-38 drive or similar event.  
 1-39 (c) The type of food donated under Subsection (b)(1) [~~this~~  
 1-40 ~~section~~] may include:  
 1-41 (1) packaged [~~or unpackaged~~] unserved food that is  
 1-42 packaged on the campus of a school district or open-enrollment  
 1-43 charter school and has not been removed from the campus cafeteria;  
 1-44 (2) packaged served food if the packaging and food are  
 1-45 [~~is~~] in good condition;  
 1-46 (3) whole, uncut produce; and  
 1-47 (4) wrapped raw unserved produce [~~, and~~  
 1-48 [~~(5) unpeeled fruit required to be peeled before~~  
 1-49 ~~consumption~~].  
 1-50 (c-1) Food that by law must be maintained at a certain  
 1-51 temperature for safety may not be donated unless the campus has  
 1-52 maintained the food at the required temperature.  
 1-53 SECTION 2. This Act takes effect September 1, 2021.

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