

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 [~~r~~] 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;

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

3 (3) whole, uncut produce; and

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

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

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

10 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