

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 16, 2021**

**TO:** Honorable Stephanie Klick, Chair, House Committee on Public Health

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB316** 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, 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 implication to local courts is anticipated.

**Source Agencies:** 212 Office of Court Admin, 302 Office of the Attorney General, 529 Hlth & Human Svcs Comm, 537 State Health Services

**LBB Staff:** JMc, AKi, JLi, NDa