

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

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

**May 8, 2021**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

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

**IN RE: HB1276** by Parker (Relating to the sale of certain food by food service establishments.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would allow a food service establishment that holds a permit under Health and Safety Code Chapter 437 to sell directly to an individual consumer food, other than prepared food, that meets certain conditions and may not sell directly to an individual consumer food that does not meet certain conditions. The bill would also prohibit a municipality, a public health district, and the Department of State Health Services, from requiring a food establishment to obtain a manufacturer license or permit if the establishment meets certain conditions.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2021.

The Health and Human Services Commission and the Department of State Health Services indicates any cost to implement the provisions of the bill would be minimal and could be absorbed within available resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Hlth & Human Svcs Comm, 537 State Health Services

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