

## **BILL ANALYSIS**

H.B. 3323  
By: Goodwin  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

According to Feeding Texas, one in eight Texans experiences food insecurity. Texas is also one of nine states above the national average when it comes to food insecurity, according to the U.S. Department of Agriculture. The COVID-19 pandemic, long-lasting supply chain issues resulting from the pandemic, the 2022 baby formula shortage, and the 2023 egg shortage have all shown that the food supply chain is vulnerable to a variety of disruptions. H.B. 3323 seeks to help address this issue by providing for the establishment of the Texas food system security and resiliency planning council to address food system security and planning in Texas to ensure that Texas has a secure and resilient food supply for future generations.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Agriculture in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 3323 amends the Agriculture Code to require the development of a state food system security plan by the office of food system security and resiliency if that office is established as a division within the Department of Agriculture (TDA) by an Act of the 88th Legislature, Regular Session, 2023, or the TDA's food and nutrition division if the office is not established as such. The bill requires the plan to do the following:

- provide for the orderly development and management of food system security throughout Texas, including ensuring sufficient food is available at a reasonable cost to:
  - ensure public health, safety, and welfare;
  - further economic development; and
  - protect the state's agricultural and natural resources;
- account for times of severe drought conditions, natural disaster, man-made disaster, or other calamities; and
- include legislative recommendations that are needed or desirable to facilitate the resilience and availability of food in Texas.

The bill requires the office to do the following:

- seek the advice of the Department of State Health Services and the Parks and Wildlife Department in developing the plan;
- review and revise the plan as necessary at least once every five years; and
- deliver the plan to the governor, the lieutenant governor, the speaker of the house of representatives, and the chair of the appropriate committees in each house of the legislature, with the initial plan required to be delivered not later than September 1, 2025.

H.B. 3323 requires the office to establish the 24-member Texas food system security and resiliency planning council, which is required to give guidance to the office and to review the state food system security plan. The council consists of members appointed by the governor, lieutenant governor, speaker of the house, and the TDA, and nonvoting members that include the assistant commissioner of agriculture for the division, the director of the Texas A&M AgriLife Extension Service, and an appointee of the executive commissioner of the Health and Human Services Commission. The bill provides for member service, the appointment, as applicable, of its initial members, and council meetings and establishes that members are not entitled to compensation or reimbursement for expenses incurred in performing council duties.

H.B. 3323 establishes the food system security planning fund and the Texas food system security and resiliency projects fund as dedicated accounts in the general revenue fund that consist of the following, respectively:

- appropriations of money to the funds by the legislature;
- gifts, grants, including federal grants, and other donations received for the funds; and
- interest earned on the investment of money in the funds.

The bill restricts the planning fund's use to the council's administration, authorizes the office to accept grants, gifts, or donations from any source that are made for the fund's purposes, and requires money received as such to be deposited in the fund.

H.B. 3323 requires the office to award grants to eligible recipients, including certain local governmental entities, a nonprofit or similar organization, a farm or agricultural product or service cooperative, a nonprofit farmers' market or grocery store, or a micro-business as defined by the Government Code, to increase food system security or resiliency in Texas. To be eligible for a grant, a project must be related to food production, food system security, or food supply resiliency and have the ability to impact either an individual community or the production of a specific agricultural commodity. The bill restricts the office's use of the Texas food system security and resiliency projects fund to the awarding of grants and the grant program's administration.

H.B. 3323 requires the TDA to adopt rules and procedures necessary or as required to implement the bill's provisions.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.