

## **BILL ANALYSIS**

Senate Research Center  
88R20843 KKR-D

C.S.S.B. 587  
By: Hughes  
Health & Human Services  
4/5/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Many religious organizations and nonprofits rely on local fundraising events to stay active and serve their communities. These events, at times, take the form of a potluck or community meal to aid in raising funds. Some health inspectors have taken steps to shut down these events due to the religious organization or nonprofit not having a commercial kitchen.

S.B. 587 allows these religious organizations and nonprofits to raise funds for their organization without the bureaucratic barrier of the commercial kitchen requirement.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 587 amends current law relating to a limitation on commercial kitchen and food permit requirements for food fundraisers held by a religious institution or nonprofit organization.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 437.007, Health and Safety Code, as follows:

Sec. 437.007. NONPROFIT ORGANIZATIONS EXEMPT. Prohibits certain entities, including the Department of State Health Services or a municipality, from requiring a nonprofit organization, including a religious institution as defined by Section 438.901, to obtain a permit.

SECTION 2. Amends Chapter 438, Health and Safety Code, by adding Subchapter Z, as follows:

#### **SUBCHAPTER Z. MISCELLANEOUS PROVISIONS**

Sec. 438.901. LIMITATION ON COMMERCIAL KITCHEN REQUIREMENTS FOR FOOD FUNDRAISING ACTIVITY OF RELIGIOUS INSTITUTION OR NONPROFIT ORGANIZATION. (a) Defines "nonprofit organization" and "religious institution."

(b) Prohibits this state or a political subdivision of this state, notwithstanding any other law, from requiring a religious institution or nonprofit organization to prepare in a commercial kitchen or in a facility that is equipped with commercial kitchen equipment food the institution or organization sells at an event held to raise money for the institution or organization.

(c) Prohibits this section from being construed to affect any other requirement for food preparation that is applicable to a religious institution or nonprofit organization.

SECTION 3. Effective date: upon passage or September 1, 2023.