88R14270 PRL-D

By:  Bernal H.B. No. 4746

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a school district or open-enrollment charter school to receive a grant from the Department of Agriculture to provide surplus agricultural products to certain students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 21.001, Agriculture Code, is amended to read as follows:

Sec. 21.001.  CREATION. The department by rule shall develop a program to award grants to:

(1)  nonprofit organizations for the purpose of collecting and distributing surplus agricultural products to food banks and other charitable organizations that serve needy or low-income individuals; and

(2)  public schools for the purpose of collecting and distributing surplus agricultural products to educationally disadvantaged students.

SECTION 2.  Section 21.002, Agriculture Code, is amended to read as follows:

Sec. 21.002.  ELIGIBILITY. (a) For the purposes of this chapter:

(1)  "Educationally disadvantaged" has the meaning assigned by Section 5.001, Education Code.

(2)  "Public school" means a school district or an open-enrollment charter school established under Subchapter D, Chapter 12, Education Code.

(b)  Subject to available funds:

(1)  [~~,~~] a nonprofit organization is eligible to receive a grant under this chapter if the organization:

(A) [~~(1)~~]  has at least five years of experience coordinating a statewide network of food banks and charitable organizations that serve each county of this state;

(B) [~~(2)~~]  operates a program that coordinates the collection and transportation of surplus agricultural products to a statewide network of food banks that provide food to needy or low-income individuals; and

(C) [~~(3)~~]  submits to the department, in the manner and time prescribed by the department, a proposal for the collection and distribution to food banks or other charitable organizations for use in providing food to needy or low-income individuals of surplus agricultural products, including:

(i) [~~(A)~~]  a description of the proposal;

(ii) [~~(B)~~]  a schedule of projected costs for the proposal;

(iii) [~~(C)~~]  measurable goals for the proposal; and

(iv) [~~(D)~~]  a plan for evaluating the success of the proposal; and

(2)  a public school is eligible to receive a grant under this chapter if the school submits to the department, in the manner and time prescribed by the department, a proposal for the collection and distribution of surplus agricultural products to educationally disadvantaged students that includes the information required to be provided under Subdivisions (1)(C)(i)-(iv).

SECTION 3.  Section 21.003, Agriculture Code, is amended to read as follows:

Sec. 21.003.  REPORT. A nonprofit organization or public school that receives a grant under this chapter must report the results of the project to the department in the manner prescribed by the department.

SECTION 4.  Section 33.907, Education Code, is amended by amending Subsection (a) and adding Subsection (e-1) to read as follows:

(a)  In this section:

(1)  "Donate" has the meaning assigned by Section 76.001, Civil Practice and Remedies Code.

(2)  "Educationally disadvantaged" has the meaning assigned by Section 5.001.

(3)  "Nonprofit organization" has the meaning assigned by Section 76.001, Civil Practice and Remedies Code.

(e-1)  A school district or open-enrollment charter school may:

(1)  adopt a policy allowing a campus in the district or school to collect surplus agricultural products that are eligible for donation under Subsection (b) and donate the products to the families of educationally disadvantaged students enrolled at the campus; and

(2)  apply to receive a grant under the grant program established under Chapter 21, Agriculture Code, for a campus that makes the election under Subdivision (1).

SECTION 5.  This Act applies beginning with the 2023-2024 school year.

SECTION 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.