

By: Martinez

H.B. No. 1079

A BILL TO BE ENTITLED

AN ACT

relating to warning signs posted by certain food service establishments that prepare food items containing peanut products.

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

SECTION 1. Chapter 438, Health and Safety Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. PEANUT ALLERGEN WARNING SIGNS

Sec. 438.051. APPLICABILITY. This subchapter applies only to a food service establishment:

(1) with a designed or designated space for eating;

and

(2) that prepares a food item containing peanuts or a peanut product.

Sec. 438.052. WARNING SIGNS REQUIRED FOR FOOD ITEMS CONTAINING PEANUT PRODUCTS. A food service establishment to which this subchapter applies shall post in a conspicuous place in the area of the establishment in which food is consumed or on the establishment's food menu a warning sign that states:

"This establishment prepares food items that contain peanut products."

Sec. 438.053. RULES. The executive commissioner shall adopt any rules necessary to implement this subchapter.

SECTION 2. This Act takes effect September 1, 2024.