

1 AN ACT

2 relating to food system security and resiliency planning.

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

4 SECTION 1. Title 2, Agriculture Code, is amended by adding  
5 Chapter 23 to read as follows:

6 CHAPTER 23. FOOD SYSTEM SECURITY

7 Sec. 23.001. DEFINITIONS. In this chapter:

8 (1) "Council" means the Texas food system security and  
9 resiliency planning council.

10 (2) "Office" means:

11 (A) the office of food system security and  
12 resiliency if that office is established as a division within the  
13 department by an Act of the 88th Legislature, Regular Session,  
14 2023; or

15 (B) the food and nutrition division of the  
16 department if the office of food system security and resiliency is  
17 not established as a division within the department by an Act of the  
18 88th Legislature, Regular Session, 2023.

19 Sec. 23.002. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY  
20 PLANNING COUNCIL. (a) The office shall establish the Texas food  
21 system security and resiliency planning council. The council is  
22 composed of the following members:

23 (1) three members appointed by the governor;

24 (2) three members appointed by the lieutenant

1 governor;

2 (3) three members appointed by the speaker of the  
3 house of representatives;

4 (4) one member of the Texas Animal Health Commission  
5 appointed by the governor;

6 (5) one member appointed by the commissioner to  
7 represent food banks;

8 (6) one member appointed by the commissioner to  
9 represent nonprofit organizations that provide home delivered  
10 meals;

11 (7) two members appointed by the commissioner to  
12 represent agricultural producer organizations, marketing  
13 associations organized under Chapter 52, or farmers' cooperative  
14 societies incorporated under Chapter 51;

15 (8) the assistant commissioner of agriculture for the  
16 food and nutrition division as a nonvoting member;

17 (9) the director of the Texas A&M AgriLife Extension  
18 Service as a nonvoting member; and

19 (10) one nonvoting member appointed by the executive  
20 commissioner of the Health and Human Services Commission to  
21 represent the supplemental nutrition assistance program, the  
22 federal special supplemental nutrition program for women, infants,  
23 and children, and the supplemental nutrition assistance  
24 program-education.

25 (b) A person appointed under Subsection (a) must have  
26 experience in an industry or economic sector involving food  
27 production or food sales or in a related industry or economic

1 sector.

2 (c) For the purpose of Subsection (a)(7), the Texas Farm  
3 Bureau is considered an agricultural producer organization.

4 (d) A council member serves at the pleasure of the  
5 appointing authority.

6 (e) The governor shall designate a chair of the council from  
7 the members the governor appoints. The lieutenant governor shall  
8 designate a vice chair of the council from the members the  
9 lieutenant governor appoints.

10 (f) The council shall meet at least once quarterly or more  
11 frequently at the call of the chair.

12 (g) A member of the council is not entitled to compensation  
13 or reimbursement for expenses incurred in performing council  
14 duties.

15 (h) The council shall:

16 (1) give guidance to the office; and

17 (2) review the state food system security plan  
18 developed under Section 23.003.

19 Sec. 23.003. STATE FOOD SYSTEM SECURITY PLAN. (a) The  
20 office shall develop a state food system security plan. The plan  
21 must:

22 (1) provide for the orderly development and management  
23 of food system security throughout this state, including ensuring  
24 sufficient food is available at a reasonable cost to:

25 (A) ensure public health, safety, and welfare;

26 (B) further economic development; and

27 (C) protect the agricultural and natural

1 resources of this state;

2 (2) account for times of severe drought conditions,  
3 natural disasters, man-made disasters, or other calamities; and

4 (3) include legislative recommendations that are  
5 needed or desirable to facilitate the resilience and availability  
6 of food in this state.

7 (b) In developing the plan, the office shall seek the advice  
8 of:

9 (1) the Department of State Health Services; and

10 (2) the Parks and Wildlife Department.

11 (c) The office shall:

12 (1) review and revise as necessary the plan developed  
13 under Subsection (a) at least once every five years; and

14 (2) deliver the plan to the governor, the lieutenant  
15 governor, the speaker of the house of representatives, and the  
16 chair of the appropriate committees in each house of the  
17 legislature.

18 Sec. 23.004. FOOD SYSTEM SECURITY PLANNING FUND. (a) In  
19 this section, "planning fund" means the food system security  
20 planning fund.

21 (b) The planning fund is a dedicated account in the general  
22 revenue fund and consists of:

23 (1) appropriations of money to the planning fund by  
24 the legislature;

25 (2) gifts, grants, including federal grants, and other  
26 donations received for the planning fund; and

27 (3) interest earned on the investment of money in the

1 planning fund.

2 (c) The planning fund may be used only to administer the  
3 council under Section 23.002.

4 (d) The office may accept gifts, grants, or donations from  
5 any source that are made for the purposes of this section. Money  
6 received under this subsection shall be deposited in the planning  
7 fund.

8 Sec. 23.005. BIENNIAL REPORT. (a) The department shall  
9 report to the legislature biennially on the activities of the  
10 office and council. The report must contain a description of the  
11 activities of the council under this chapter.

12 (b) This section expires January 14, 2025.

13 Sec. 23.006. RULES. The department shall adopt rules  
14 necessary to administer this chapter.

15 SECTION 2. (a) As soon as practicable after the effective  
16 date of this Act, the Department of Agriculture shall adopt rules  
17 and procedures as required to implement Chapter 23, Agriculture  
18 Code, as added by this Act.

19 (b) As soon as practicable after the adoption of rules and  
20 procedures under Subsection (a) of this section, the governor,  
21 lieutenant governor, speaker of the house of representatives,  
22 executive commissioner of the Health and Human Services Commission,  
23 and commissioner of agriculture shall appoint the initial members  
24 of the Texas food system security and resiliency planning council  
25 under Section 23.002, Agriculture Code, as added by this Act.

26 SECTION 3. Not later than September 1, 2025, the office, as  
27 that term is defined by Section 23.001, Agriculture Code, as added

1 by this Act, shall deliver the initial state food system security  
2 plan as required by Section 23.003(c), Agriculture Code, as added  
3 by this Act.

4 SECTION 4. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3323 was passed by the House on May 5, 2023, by the following vote: Yeas 92, Nays 49, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3323 on May 24, 2023, by the following vote: Yeas 94, Nays 49, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3323 was passed by the Senate, with amendments, on May 19, 2023, by the following vote: Yeas 21, Nays 10.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor