

1-1 By: Goodwin, González of Dallas H.B. No. 3323
 1-2 (Senate Sponsor - West)
 1-3 (In the Senate - Received from the House May 8, 2023;
 1-4 May 9, 2023, read first time and referred to Committee on Water,
 1-5 Agriculture & Rural Affairs; May 12, 2023, reported favorably by
 1-6 the following vote: Yeas 7, Nays 1; May 12, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to food system security and resiliency planning.
 1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Title 2, Agriculture Code, is amended by adding
 1-23 Chapter 23 to read as follows:
 1-24 CHAPTER 23. FOOD SYSTEM SECURITY
 1-25 Sec. 23.001. DEFINITIONS. In this chapter:
 1-26 (1) "Council" means the Texas food system security and
 1-27 resiliency planning council.
 1-28 (2) "Office" means:
 1-29 (A) the office of food system security and
 1-30 resiliency if that office is established as a division within the
 1-31 department by an Act of the 88th Legislature, Regular Session,
 1-32 2023; or
 1-33 (B) the food and nutrition division of the
 1-34 department if the office of food system security and resiliency is
 1-35 not established as a division within the department by an Act of the
 1-36 88th Legislature, Regular Session, 2023.
 1-37 Sec. 23.002. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY
 1-38 PLANNING COUNCIL. (a) The office shall establish the Texas food
 1-39 system security and resiliency planning council. The council is
 1-40 composed of the following members:
 1-41 (1) three members appointed by the governor;
 1-42 (2) three members appointed by the lieutenant
 1-43 governor;
 1-44 (3) three members appointed by the speaker of the
 1-45 house of representatives;
 1-46 (4) one member of the Texas Animal Health Commission
 1-47 appointed by the governor;
 1-48 (5) one member appointed by the commissioner to
 1-49 represent food banks;
 1-50 (6) one member appointed by the commissioner to
 1-51 represent nonprofit organizations that provide home delivered
 1-52 meals;
 1-53 (7) two members appointed by the commissioner to
 1-54 represent agricultural producer organizations, marketing
 1-55 associations organized under Chapter 52, or farmers' cooperative
 1-56 societies incorporated under Chapter 51;
 1-57 (8) the assistant commissioner of agriculture for the
 1-58 food and nutrition division as a nonvoting member;
 1-59 (9) the director of the Texas A&M AgriLife Extension
 1-60 Service as a nonvoting member; and
 1-61 (10) one nonvoting member appointed by the executive

2-1 commissioner of the Health and Human Services Commission to
 2-2 represent the supplemental nutrition assistance program, the
 2-3 federal special supplemental nutrition program for women, infants,
 2-4 and children, and the supplemental nutrition assistance
 2-5 program-education.

2-6 (b) A person appointed under Subsection (a) must have
 2-7 experience in an industry or economic sector involving food
 2-8 production or food sales or in a related industry or economic
 2-9 sector.

2-10 (c) For the purpose of Subsection (a)(7), the Texas Farm
 2-11 Bureau is considered an agricultural producer organization.

2-12 (d) A council member serves at the pleasure of the
 2-13 appointing authority.

2-14 (e) The governor shall designate a chair of the council from
 2-15 the members the governor appoints. The lieutenant governor shall
 2-16 designate a vice chair of the council from the members the
 2-17 lieutenant governor appoints.

2-18 (f) The council shall meet at least once quarterly or more
 2-19 frequently at the call of the chair.

2-20 (g) A member of the council is not entitled to compensation
 2-21 or reimbursement for expenses incurred in performing council
 2-22 duties.

2-23 (h) The council shall:

2-24 (1) give guidance to the office; and

2-25 (2) review the state food system security plan
 2-26 developed under Section 23.003.

2-27 Sec. 23.003. STATE FOOD SYSTEM SECURITY PLAN. (a) The
 2-28 office shall develop a state food system security plan. The plan
 2-29 must:

2-30 (1) provide for the orderly development and management
 2-31 of food system security throughout this state, including ensuring
 2-32 sufficient food is available at a reasonable cost to:

2-33 (A) ensure public health, safety, and welfare;

2-34 (B) further economic development; and

2-35 (C) protect the agricultural and natural
 2-36 resources of this state;

2-37 (2) account for times of severe drought conditions,
 2-38 natural disasters, man-made disasters, or other calamities; and

2-39 (3) include legislative recommendations that are
 2-40 needed or desirable to facilitate the resilience and availability
 2-41 of food in this state.

2-42 (b) In developing the plan, the office shall seek the advice
 2-43 of:

2-44 (1) the Department of State Health Services; and

2-45 (2) the Parks and Wildlife Department.

2-46 (c) The office shall:

2-47 (1) review and revise as necessary the plan developed
 2-48 under Subsection (a) at least once every five years; and

2-49 (2) deliver the plan to the governor, the lieutenant
 2-50 governor, the speaker of the house of representatives, and the
 2-51 chair of the appropriate committees in each house of the
 2-52 legislature.

2-53 Sec. 23.004. FOOD SYSTEM SECURITY PLANNING FUND. (a) In
 2-54 this section, "planning fund" means the food system security
 2-55 planning fund.

2-56 (b) The planning fund is a dedicated account in the general
 2-57 revenue fund and consists of:

2-58 (1) appropriations of money to the planning fund by
 2-59 the legislature;

2-60 (2) gifts, grants, including federal grants, and other
 2-61 donations received for the planning fund; and

2-62 (3) interest earned on the investment of money in the
 2-63 planning fund.

2-64 (c) The planning fund may be used only to administer the
 2-65 council under Section 23.002.

2-66 (d) The office may accept gifts, grants, or donations from
 2-67 any source that are made for the purposes of this section. Money
 2-68 received under this subsection shall be deposited in the planning
 2-69 fund.

3-1 Sec. 23.005. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY
3-2 GRANT PROGRAM. (a) In this section:
3-3 (1) "Eligible recipient" means:
3-4 (A) a municipality;
3-5 (B) a county;
3-6 (C) a council of government;
3-7 (D) a regional planning council;
3-8 (E) an economic development corporation;
3-9 (F) a transit authority;
3-10 (G) a nonprofit or similar organization;
3-11 (H) a farm or agricultural product or service
3-12 cooperative;
3-13 (I) a nonprofit farmers' market or grocery store;
3-14 or
3-15 (J) a micro-business as defined by Section
3-16 2006.001, Government Code.
3-17 (2) "Grant fund" means the Texas food system security
3-18 and resiliency projects fund.
3-19 (b) The grant fund is a dedicated account in the general
3-20 revenue fund and consists of:
3-21 (1) appropriations of money to the grant fund by the
3-22 legislature;
3-23 (2) gifts, grants, including federal grants, and other
3-24 donations received for the grant fund; and
3-25 (3) interest earned on the investment of money in the
3-26 grant fund.
3-27 (c) The office shall award grants to eligible recipients to
3-28 increase food system security or resiliency in this state. To be
3-29 eligible for a grant, a project must be related to food production,
3-30 food system security, or food supply resiliency and have the
3-31 ability to impact either an individual community or the production
3-32 of a specific agricultural commodity. The department shall award
3-33 grants to a variety of eligible recipients across this state.
3-34 (d) The grant fund may be used by the office only to:
3-35 (1) award grants under this section; and
3-36 (2) administer the grant program under this section.
3-37 (e) The amount of a grant awarded under this section may not
3-38 be less than \$10,000 or more than \$250,000. The total amount of
3-39 grants awarded under this section may not exceed \$10 million.
3-40 (f) This section expires August 31, 2025.
3-41 Sec. 23.006. BIENNIAL REPORT. (a) The department shall
3-42 report to the legislature biannually on the activities of the
3-43 office and council. The report must contain a description of:
3-44 (1) the activities of the council under this chapter;
3-45 and
3-46 (2) grants awarded under Section 23.005.
3-47 (b) This section expires January 14, 2025.
3-48 Sec. 23.007. RULES. The department shall adopt rules
3-49 necessary to administer this chapter.
3-50 SECTION 2. (a) As soon as practicable after the effective
3-51 date of this Act, the Department of Agriculture shall adopt rules
3-52 and procedures as required to implement Chapter 23, Agriculture
3-53 Code, as added by this Act.
3-54 (b) As soon as practicable after the adoption of rules and
3-55 procedures under Subsection (a) of this section, the governor,
3-56 lieutenant governor, speaker of the house of representatives,
3-57 executive commissioner of the Health and Human Services Commission,
3-58 and commissioner of agriculture shall appoint the initial members
3-59 of the Texas food system security and resiliency planning council
3-60 under Section 23.002, Agriculture Code, as added by this Act.
3-61 SECTION 3. Not later than September 1, 2025, the office, as
3-62 that term is defined by Section 23.001, Agriculture Code, as added
3-63 by this Act, shall deliver the initial state food system security
3-64 plan as required by Section 23.003(c), Agriculture Code, as added
3-65 by this Act.
3-66 SECTION 4. (a) In this section, "office" has the meaning
3-67 assigned by Section 23.001, Agriculture Code, as added by this Act.
3-68 (b) The office is not required to award a grant under
3-69 Section 23.005, Agriculture Code, as added by this Act, unless the

4-1 legislature appropriates money specifically for that purpose
4-2 during the state fiscal biennium ending August 31, 2025.

4-3 SECTION 5. This Act takes effect immediately if it receives
4-4 a vote of two-thirds of all the members elected to each house, as
4-5 provided by Section 39, Article III, Texas Constitution. If this
4-6 Act does not receive the vote necessary for immediate effect, this
4-7 Act takes effect September 1, 2023.

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