

By: Hughes

S.B. No. 587

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a limitation on commercial kitchen requirements for  
3 food fundraisers held by a religious institution or nonprofit  
4 organization.

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

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

8 SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

9 Sec. 438.901. LIMITATION ON COMMERCIAL KITCHEN  
10 REQUIREMENTS FOR FOOD FUNDRAISING ACTIVITY OF RELIGIOUS  
11 INSTITUTION OR NONPROFIT ORGANIZATION. (a) In this section:

12 (1) "Nonprofit organization" means an organization  
13 exempt from federal income tax under Section 501(a), Internal  
14 Revenue Code of 1986, as an organization described by Section  
15 501(c)(3) of that code.

16 (2) "Religious institution" means a religious  
17 institution that is exempt from federal income tax under Section  
18 501(a), Internal Revenue Code of 1986, as an organization described  
19 by Section 501(c)(3) of that code.

20 (b) Notwithstanding any other law, this state or a political  
21 subdivision of this state may not require a religious institution  
22 or nonprofit organization to prepare in a commercial kitchen or in a  
23 facility that is equipped with commercial kitchen equipment food  
24 the institution or organization sells at an event held to raise

1 money for the institution or organization.

2 (c) This section may not be construed to affect any other  
3 requirement for food preparation that is applicable to a religious  
4 institution or nonprofit organization.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2023.