

1-1 By: Hughes S.B. No. 587
1-2 (In the Senate - Filed January 24, 2023; February 17, 2023,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; April 11, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 11, 2023, sent to printer.)

1-7 COMMITTEE VOTE

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

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 587 By: Perry

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to a limitation on commercial kitchen and food permit
1-22 requirements for food fundraisers held by a religious institution
1-23 or nonprofit organization.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 437.007, Health and Safety Code, is
1-26 amended to read as follows:

1-27 Sec. 437.007. NONPROFIT ORGANIZATIONS EXEMPT. The
1-28 department or a municipality, [A] county, or public health district
1-29 may not require a nonprofit organization, including a religious
1-30 institution as defined by Section 438.901, to obtain a permit.

1-31 SECTION 2. Chapter 438, Health and Safety Code, is amended
1-32 by adding Subchapter Z to read as follows:

1-33 SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

1-34 Sec. 438.901. LIMITATION ON COMMERCIAL KITCHEN
1-35 REQUIREMENTS FOR FOOD FUNDRAISING ACTIVITY OF RELIGIOUS
1-36 INSTITUTION OR NONPROFIT ORGANIZATION. (a) In this section:

1-37 (1) "Nonprofit organization" means an organization
1-38 exempt from federal income tax under Section 501(a), Internal
1-39 Revenue Code of 1986, as an organization described by Section
1-40 501(c)(3) of that code.

1-41 (2) "Religious institution" means a religious
1-42 institution that is exempt from federal income tax under Section
1-43 501(a), Internal Revenue Code of 1986, as an organization described
1-44 by Section 501(c)(3) of that code.

1-45 (b) Notwithstanding any other law, this state or a political
1-46 subdivision of this state may not require a religious institution
1-47 or nonprofit organization to prepare in a commercial kitchen or in a
1-48 facility that is equipped with commercial kitchen equipment food
1-49 the institution or organization sells at an event held to raise
1-50 money for the institution or organization.

1-51 (c) This section may not be construed to affect any other
1-52 requirement for food preparation that is applicable to a religious
1-53 institution or nonprofit organization.

1-54 SECTION 3. This Act takes effect immediately if it receives
1-55 a vote of two-thirds of all the members elected to each house, as
1-56 provided by Section 39, Article III, Texas Constitution. If this
1-57 Act does not receive the vote necessary for immediate effect, this
1-58 Act takes effect September 1, 2023.

1-59 * * * * *