

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

CHAPTER 23. FOOD SYSTEM SECURITY

Sec. 23.001. DEFINITIONS. In this chapter:

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

(2) "Office" means:

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

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

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

(1) three members appointed by the governor;

(2) three members appointed by the lieutenant governor;

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

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

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

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

(7) two members appointed by the commissioner to represent agricultural producer organizations, marketing

SENATE VERSION (IE)

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

CHAPTER 23. FOOD SYSTEM SECURITY

Sec. 23.001. DEFINITIONS. In this chapter:

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

(2) "Office" means:

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

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

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

(1) three members appointed by the governor;

(2) three members appointed by the lieutenant governor;

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

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

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

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

(7) two members appointed by the commissioner to represent agricultural producer organizations, marketing

CONFERENCE

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

associations organized under Chapter 52, or farmers' cooperative societies incorporated under Chapter 51;
(8) the assistant commissioner of agriculture for the food and nutrition division as a nonvoting member;
(9) the director of the Texas A&M AgriLife Extension Service as a nonvoting member; and
(10) one nonvoting member appointed by the executive commissioner of the Health and Human Services Commission to represent the supplemental nutrition assistance program, the federal special supplemental nutrition program for women, infants, and children, and the supplemental nutrition assistance program-education.
(b) A person appointed under Subsection (a) must have experience in an industry or economic sector involving food production or food sales or in a related industry or economic sector.
(c) For the purpose of Subsection (a)(7), the Texas Farm Bureau is considered an agricultural producer organization.
(d) A council member serves at the pleasure of the appointing authority.
(e) The governor shall designate a chair of the council from the members the governor appoints. The lieutenant governor shall designate a vice chair of the council from the members the lieutenant governor appoints.
(f) The council shall meet at least once quarterly or more frequently at the call of the chair.
(g) A member of the council is not entitled to compensation or reimbursement for expenses incurred in performing council duties.
(h) The council shall:
(1) give guidance to the office; and

SENATE VERSION (IE)

associations organized under Chapter 52, or farmers' cooperative societies incorporated under Chapter 51;
(8) the assistant commissioner of agriculture for the food and nutrition division as a nonvoting member;
(9) the director of the Texas A&M AgriLife Extension Service as a nonvoting member; and
(10) one nonvoting member appointed by the executive commissioner of the Health and Human Services Commission to represent the supplemental nutrition assistance program, the federal special supplemental nutrition program for women, infants, and children, and the supplemental nutrition assistance program-education.
(b) A person appointed under Subsection (a) must have experience in an industry or economic sector involving food production or food sales or in a related industry or economic sector.
(c) For the purpose of Subsection (a)(7), the Texas Farm Bureau is considered an agricultural producer organization.
(d) A council member serves at the pleasure of the appointing authority.
(e) The governor shall designate a chair of the council from the members the governor appoints. The lieutenant governor shall designate a vice chair of the council from the members the lieutenant governor appoints.
(f) The council shall meet at least once quarterly or more frequently at the call of the chair.
(g) A member of the council is not entitled to compensation or reimbursement for expenses incurred in performing council duties.
(h) The council shall:
(1) give guidance to the office; and

CONFERENCE

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 23.003. STATE FOOD SYSTEM SECURITY PLAN.

(a) The office shall develop a state food system security plan. The plan must:

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

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

(B) further economic development; and

(C) protect the agricultural and natural resources of this state;

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

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

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

(1) the Department of State Health Services; and

(2) the Parks and Wildlife Department.

(c) The office shall:

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

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

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

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

SENATE VERSION (IE)

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

Sec. 23.003. STATE FOOD SYSTEM SECURITY PLAN.

(a) The office shall develop a state food system security plan. The plan must:

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

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

(B) further economic development; and

(C) protect the agricultural and natural resources of this state;

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

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

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

(1) the Department of State Health Services; and

(2) the Parks and Wildlife Department.

(c) The office shall:

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

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

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

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

CONFERENCE

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(1) appropriations of money to the planning fund by the legislature;
(2) gifts, grants, including federal grants, and other donations received for the planning fund; and
(3) interest earned on the investment of money in the planning fund.
(c) The planning fund may be used only to administer the council under Section 23.002.
(d) The office may accept gifts, grants, or donations from any source that are made for the purposes of this section. Money received under this subsection shall be deposited in the planning fund.

Sec. 23.005. TEXAS FOOD SYSTEM SECURITY AND RESILIENCY GRANT PROGRAM. (a) In this section:

(1) "Eligible recipient" means:
(A) a municipality;
(B) a county;
(C) a council of government;
(D) a regional planning council;
(E) an economic development corporation;
(F) a transit authority;
(G) a nonprofit or similar organization;
(H) a farm or agricultural product or service cooperative;
(I) a nonprofit farmers' market or grocery store; or
(J) a micro-business as defined by Section 2006.001, Government Code.
(2) "Grant fund" means the Texas food system security and resiliency projects fund.
(b) The grant fund is a dedicated account in the general revenue fund and consists of:

SENATE VERSION (IE)

(1) appropriations of money to the planning fund by the legislature;
(2) gifts, grants, including federal grants, and other donations received for the planning fund; and
(3) interest earned on the investment of money in the planning fund.
(c) The planning fund may be used only to administer the council under Section 23.002.
(d) The office may accept gifts, grants, or donations from any source that are made for the purposes of this section. Money received under this subsection shall be deposited in the planning fund.

No equivalent provision. Sec. 23.005. [Deleted by FA1(1)]

CONFERENCE

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p><u>(1) appropriations of money to the grant fund by the legislature;</u></p> <p><u>(2) gifts, grants, including federal grants, and other donations received for the grant fund; and</u></p> <p><u>(3) interest earned on the investment of money in the grant fund.</u></p> <p><u>(c) The office shall award grants to eligible recipients to increase food system security or resiliency in this state. To be eligible for a grant, a project must be related to food production, food system security, or food supply resiliency and have the ability to impact either an individual community or the production of a specific agricultural commodity. The department shall award grants to a variety of eligible recipients across this state.</u></p> <p><u>(d) The grant fund may be used by the office only to:</u></p> <p><u>(1) award grants under this section; and</u></p> <p><u>(2) administer the grant program under this section.</u></p> <p><u>(e) The amount of a grant awarded under this section may not be less than \$10,000 or more than \$250,000. The total amount of grants awarded under this section may not exceed \$10 million.</u></p> <p><u>(f) This section expires August 31, 2025.</u></p> <p><u>Sec. 23.006. BIENNIAL REPORT. (a) The department shall report to the legislature biennially on the activities of the office and council. The report must contain a description of:</u></p> <p><u>(1) the activities of the council under this chapter; and</u></p> <p><u>(2) grants awarded under Section 23.005.</u></p> <p><u>(b) This section expires January 14, 2025.</u></p> <p><u>Sec. 23.007. RULES. The department shall adopt rules necessary to administer this chapter.</u></p>	<p><u>Sec. 23.006. BIENNIAL REPORT. (a) The department shall report to the legislature biennially on the activities of the office and council. The report must contain a description of the activities of the council under this chapter. [FA1(2)]</u></p> <p><u>(b) This section expires January 14, 2025.</u></p> <p><u>Sec. 23.007. RULES. The department shall adopt rules necessary to administer this chapter.</u></p>	

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 2. (a) As soon as practicable after the effective date of this Act, the Department of Agriculture shall adopt rules and procedures as required to implement Chapter 23, Agriculture Code, as added by this Act.</p> <p>(b) As soon as practicable after the adoption of rules and procedures under Subsection (a) of this section, the governor, lieutenant governor, speaker of the house of representatives, executive commissioner of the Health and Human Services Commission, and commissioner of agriculture shall appoint the initial members of the Texas food system security and resiliency planning council under Section 23.002, Agriculture Code, as added by this Act.</p>	<p>SECTION 2. Same as House version.</p>	
<p>SECTION 3. Not later than September 1, 2025, the office, as that term is defined by Section 23.001, Agriculture Code, as added by this Act, shall deliver the initial state food system security plan as required by Section 23.003(c), Agriculture Code, as added by this Act.</p>	<p>SECTION 3. Same as House version.</p>	
<p>SECTION 4. (a) In this section, "office" has the meaning assigned by Section 23.001, Agriculture Code, as added by this Act.</p> <p>(b) The office is not required to award a grant under Section 23.005, Agriculture Code, as added by this Act, unless the legislature appropriates money specifically for that purpose during the state fiscal biennium ending August 31, 2025.</p>	<p>No equivalent provision. SECTION 4. [Deleted by FA1(3)]</p>	
<p>SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house,</p>	<p>SECTION 5. Same as House version.</p>	

House Bill 3323
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

SENATE VERSION (IE)

CONFERENCE