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| BILL ANALYSIS |

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| C.S.S.B. 379 |
| By: Middleton |
| Human Services |
| Committee Report (Substituted) |

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| **BACKGROUND AND PURPOSE**  The bill sponsor has informed the committee that many of the foods purchased through the state's SNAP program lack nutritional value, contributing to the state's obesity epidemic, and that current law allows SNAP benefits to be used to purchase nearly any food item with few exceptions. C.S.S.B. 379 seeks to address this issue and prevent SNAP benefits from being used to purchase products that provide little to no nutritional value by making sweetened soft drinks ineligible for purchase with those benefits. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY**  It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  C.S.S.B. 379 amends the Human Resources Code to prohibit a SNAP recipient from using those benefits to purchase a sweetened soft drink. The bill defines "sweetened soft drink" as a nonalcoholic beverage made with carbonated water that contains five grams or more of added sugar or artificial sweeteners, not including a beverage that contains the following:   * milk or milk products; * soy, rice, or similar milk substitutes; or * more than 50 percent of vegetable or fruit juice by volume.   If before implementing any provision of the bill a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision must request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted. |
| **EFFECTIVE DATE**  September 1, 2025. |
| **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**  While C.S.S.B. 379 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.  Whereas the engrossed prohibited a SNAP recipient from using those benefits to purchase an energy drink, a sweetened beverage, a carbonated beverage, or candy, potato chips, corn chips, or cookies ordinarily packaged and sold for consumption without further preparation, the substitute prohibits a SNAP recipient from using those benefits to purchase a sweetened soft drink.  The substitute omits the provision in the engrossed establishing that the prohibition expressly did not apply to the purchase of the following items:   * a milk product or a product, other than an energy drink, containing milk or a milk protein; * a milk substitute, including soy milk, rice milk, or almond milk; * a beverage, other than an energy drink or carbonated beverage, in which the only added sweetener does not add calories to the beverage; * a beverage intended by the manufacturer for consumption by an infant that is commonly referred to as "infant formula"; * a beverage, other than a carbonated beverage, intended by the manufacturer for use for weight reduction; * a fruit or vegetable juice, other than a carbonated beverage, to which no sugar has been added; * a beverage or other product, other than a carbonated beverage, intended for use as recommended by a health care professional, as defined by reference to Health and Safety Code provisions governing assisted living facilities; * a beverage or other product, other than a carbonated beverage, that contains plant protein sources; or * a product, other than an energy drink or carbonated beverage, that is fortified with a vitamin or mineral and contains a source of protein.   The substitute includes a provision absent from the engrossed defining the term "sweetened soft drink." The substitute omits provisions in the engrossed that defined the terms "energy drink," "milk product," and "sweetened beverage." |
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