

BILL ANALYSIS

C.S.S.B. 261
By: Perry
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that research studies demonstrate that cell-cultured protein may pose safety risks for Texas consumers and that the process of creating cell-cultured protein involves the direct interaction between cells and microplastics, which can lead to physical disruptions in the human cell membrane. Additionally, the bill sponsor has further informed the committee that questions exist regarding how these lab-grown products, which may be genetically engineered, will interact with cells within the human body. C.S.S.B. 261 seeks to address these issues by prohibiting the offering for sale and the sale of cell-cultured protein for human consumption.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 7 of this bill.

ANALYSIS

C.S.S.B. 261 amends the Health and Safety Code to prohibit and make unlawful under the Texas Food, Drug, and Cosmetic Act the offering for sale or selling of cell-cultured protein, defined by the bill as a food product derived from harvesting animal cells and artificially replicating those cells in a growth medium to produce tissue, for human consumption in Texas. The bill authorizes a violation of such prohibition to be enforced in the same manner as a violation of a prohibited act under the Texas Food, Drug, and Cosmetic Act, including through civil and criminal penalties. These bill provisions providing for such prohibited acts and manner of enforcement expire September 1, 2027.

C.S.S.B. 261 also prohibits a person from offering for sale or selling cell-cultured protein, as defined by the bill, for human consumption under the Texas Meat and Poultry Inspection Act. The bill establishes that, to the extent of a conflict between that prohibition and another state law, the bill's provisions control. These bill provisions prohibiting such acts and providing for a resolution to a conflict of laws expire September 1, 2027.

C.S.S.B. 261 repeals a provision defining "cell-cultured product" as a food product derived by harvesting animal cells and artificially replicating those cells in a growth medium in a laboratory to produce tissue. The bill replaces references to "cell-cultured product" with references to "cell-cultured protein" under the Texas Food, Drug, and Cosmetic Act and the Texas Meat and Poultry Inspection Act, including references in the definitions of "egg," "egg product," "fish," "meat,"

"meat food product," "poultry," and "poultry product" under the Texas Food, Drug, and Cosmetic Act and for purposes of labeling such a protein under the Texas Meat and Poultry Inspection Act.

C.S.S.B. 261 requires the executive commissioner of the Health and Human Services Commission to adopt any rules necessary to implement the bill.

C.S.S.B. 261 repeals Section 431.0805(2), Health and Safety Code.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

C.S.S.B. 261 differs from the engrossed only by amending the caption.