

By: Harris Davila

H.B. No. 1290

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting certain food additives from being included  
3 in free or reduced-price meals provided by school districts.

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

5 SECTION 1. Subchapter 2, Chapter 33, Education Code, is  
6 amended by adding Section 33.9011 to read as follows:

7 Sec. 33.9011. PROHIBITION ON CERTAIN ADDITIVES IN FREE OR  
8 REDUCED-PRICE MEALS. (a) In this section:

9 (1) "National school breakfast program" means the  
10 national school breakfast program under the Child Nutrition Act of  
11 1966 (42 U.S.C. Section 1773).

12 (2) "National school lunch program" means the national  
13 school lunch program of free or reduced-price lunches under 42  
14 U.S.C. Section 1751 et seq.

15 (b) A school district or open-enrollment charter school  
16 that provides free or reduced-price meals to eligible students  
17 under Section 33.901, the national school breakfast program, or the  
18 national school lunch program may not provide as part of a free or  
19 reduced-price meal any food that contains the following substances:

20 (1) brominated vegetable oil (BVO);

21 (2) potassium bromate;

22 (3) propylparaben;

23 (4) azodicarbonamide;

24 (5) butylated hydroxyanisole (BHA);

- 1           (6) red dye 3; or
- 2           (7) titanium dioxide.

3           SECTION 2. (a) Except as provided by Subsection (b) of this  
4 section, this Act applies beginning with the 2025-2026 school year.

5           (b) This Act applies only to a contract to provide food for  
6 free or reduced-price meals, as described by Section 33.9011,  
7 Education Code, as added by this Act, entered into or renewed on or  
8 after September 1, 2025.

9           SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2025.