

By: Gerdes

H.B. No. 2955

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the purchase of candy and soft drinks under the supplemental nutrition assistance program.

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

SECTION 1. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.031 to read as follows:

Sec. 33.031. PURCHASE OF CANDY AND SOFT DRINKS PROHIBITED UNDER SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. (a) In this section:

(1) "Candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces.

(2) "Soft drink" means a nonalcoholic beverage that contains natural or artificial sweeteners. The term does not include a beverage that contains:

(A) milk or milk products;

(B) soy, rice, or similar milk substitutes; or

(C) more than 50 percent of vegetable or fruit juice by volume.

(b) A recipient of supplemental nutrition assistance program benefits may not use those benefits to purchase candy or soft drinks.

SECTION 2. (a) As soon as practicable after the effective

1 date of this Act, the executive commissioner of the Health and Human
2 Services Commission shall develop and seek a waiver or other
3 appropriate authorization from the appropriate federal agency to
4 restrict the purchase of candy and soft drinks under the
5 supplemental nutrition assistance program provided under Chapter
6 33, Human Resources Code, as required by Section 33.031, Human
7 Resources Code, as added by this Act.

8 (b) If the waiver or other authorization requested by the
9 Health and Human Services Commission under Subsection (a) of this
10 section is not approved by the appropriate federal agency, the
11 executive commissioner of the Health and Human Services Commission
12 shall annually develop and the commission shall apply for and
13 actively pursue a waiver or other authorization described by
14 Subsection (a) of this section until the waiver or other
15 authorization is approved.

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