

By: Metcalf

H.B. No. 3292

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting ultraprocessed food from being served or sold to students in public schools.

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

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

Sec. 33.9011. PROHIBITION ON ULTRAPROCESSED FOOD. (a) In this section, "ultraprocessed food" means a food or beverage that contains:

(1) brominated vegetable oil (BVO);

(2) potassium bromate;

(3) propylparaben;

(4) red 3 (CAS 16423-68-0);

(5) red 40 (CAS 25956-17-6);

(6) yellow 5 (CAS 1934-21-0);

(7) yellow 6 (CAS 2783-94-0);

(8) blue 1 (CAS 3844-45-9);

(9) blue 2 (CAS 860-22-0);

(10) green 3 (CAS 2353-45-9);

(11) titanium dioxide; or

(12) any additive that is substantially similar to an additive specified in Subdivisions (1) through (11).

(b) A school district or open-enrollment charter school may not serve or sell ultraprocessed food on the school campus during

1 regular school hours.

2 (c) This section does not prevent a student's parent or  
3 guardian from providing ultraprocessed food to the student during  
4 regular school hours.

5 SECTION 2. This Act applies beginning with the 2025-2026  
6 school year.

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