

By: Wilson

H.B. No. 5459

A BILL TO BE ENTITLED

AN ACT

relating to food service establishment, temporary food service establishment, and retail food store permits for certain small-scale businesses.

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

SECTION 1. Chapter 437, Health and Safety Code, is amended by adding Section 437.0063 to read as follows:

Sec. 437.0063. SMALL-SCALE BUSINESS PERMIT EXEMPTIONS. (a)

In this section:

(1) "Food producer" has the meaning assigned by Section 437.020.

(2) "Small-scale business" means a legal entity established by a farmer or food producer with less than \$1.5 million in annual gross revenue.

(b) The department, a county, or a public health district may not require a small-scale business to:

(1) obtain, or pay a permitting fee for, more than one permit to operate a temporary food service establishment; or

(2) obtain a permit or pay a permitting fee to operate a food service establishment, temporary food service establishment, or retail food store, if the business is licensed as a food manufacturer under Subchapter J, Chapter 431.

SECTION 2. This Act takes effect September 1, 2025.