

1-1 By: Johnson S.B. No. 1864  
1-2 (In the Senate - Filed March 4, 2025; March 17, 2025, read  
1-3 first time and referred to Committee on Health & Human Services;  
1-4 April 14, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 14, 2025,  
1-6 sent to printer.)

|      |                |     |     |        |     |
|------|----------------|-----|-----|--------|-----|
| 1-7  | COMMITTEE VOTE |     |     |        |     |
| 1-8  |                | Yea | Nay | Absent | PNV |
| 1-9  | Kolkhorst      | X   |     |        |     |
| 1-10 | Perry          | X   |     |        |     |
| 1-11 | Blanco         | X   |     |        |     |
| 1-12 | Cook           | X   |     |        |     |
| 1-13 | Hall           | X   |     |        |     |
| 1-14 | Hancock        | X   |     |        |     |
| 1-15 | Hughes         | X   |     |        |     |
| 1-16 | Miles          | X   |     |        |     |
| 1-17 | Sparks         | X   |     |        |     |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1864 By: Hancock

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to egg grading and the selling of ungraded eggs;  
1-22 authorizing a fee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 132.002, Agriculture Code, is amended to  
1-25 read as follows:

1-26 Sec. 132.002. SALE OF UNGRADED EGGS BY PRODUCER ~~[LIMITATION~~  
1-27 ~~OF CHAPTER]~~. (a) Except as provided by this section, this [This]  
1-28 chapter does not apply to a person selling only eggs that are  
1-29 produced by the person's own flock and for which the person does not  
1-30 claim a grade.

1-31 (b) A person who produces eggs as described by Subsection  
1-32 (a) may sell any quantity of ungraded eggs directly to consumers in  
1-33 this state and, subject to Subsections (d) and (e), up to 500 dozen  
1-34 ungraded eggs per week at wholesale in this state.

1-35 (c) A person who sells ungraded eggs as provided by  
1-36 Subsection (b) shall label the cartons of eggs with a label that:

- 1-37 (1) is legible;  
1-38 (2) appears on the top panel of the carton; and  
1-39 (3) contains:  
1-40 (A) the word "ungraded";  
1-41 (B) the producer's name;  
1-42 (C) the producer's address;  
1-43 (D) the date the carton was packed; and  
1-44 (E) if the eggs are sold or offered for sale at

1-45 wholesale, the producer's registration number as provided by  
1-46 Subsection (d).

1-47 (d) A person must register with the department if the person  
1-48 produces eggs as described by Subsection (a) and sells the eggs at  
1-49 wholesale. The department may set an annual registration fee of not  
1-50 more than \$50.

1-51 (e) A person who sells eggs as described by Subsection (d)  
1-52 shall:

- 1-53 (1) maintain records as provided by Section 132.061;  
1-54 (2) within 36 hours of collecting the eggs,  
1-55 refrigerate the eggs;  
1-56 (3) maintain the eggs at an ambient temperature of 45  
1-57 degrees Fahrenheit or below during storage and distribution; and  
1-58 (4) follow the sanitation requirements of Section  
1-59 132.045 when handling eggs sold or offered for sale at wholesale.

1-60 (f) A state agency or political subdivision may not prohibit

2-1 a person described by Section [132.021](#)(b) from purchasing,  
2-2 reselling, or using eggs described by Subsection (c).

2-3 SECTION 2. This Act takes effect immediately if it receives  
2-4 a vote of two-thirds of all the members elected to each house, as  
2-5 provided by Section [39](#), Article III, Texas Constitution. If this  
2-6 Act does not receive the vote necessary for immediate effect, this  
2-7 Act takes effect September 1, 2025.

2-8 \* \* \* \* \*