

By: Raymond

H.B. No. 2639

A BILL TO BE ENTITLED

AN ACT

relating to allowable food purchases under the supplemental nutrition assistance program.

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

SECTION 1. FINDINGS AND DECLARATION OF POLICY. The legislature finds that:

(1) Texans are committed to ensuring the health of families and children and understand the important role of preventive health care measures in improving population health and the state economy;

(2) consuming healthy foods such as fruits, vegetables, whole grains, fat-free and low-fat dairy products, and seafood, and consuming fewer foods with sodium, saturated and trans fats, added sugars, and refined grains, are important preventive health care measures; and

(3) tax dollars intended to support a family's access to an adequate and nutritional diet should not be diverted to subsidize the purchase of items of minimal nutritional value.

SECTION 2. WAIVER OR OTHER AUTHORIZATION TO ALIGN ALLOWABLE FOOD ITEMS UNDER CERTAIN PROGRAMS. (a) The executive commissioner of the Health and Human Services Commission shall develop and seek a waiver or other appropriate authorization from the United States secretary of agriculture under Section 17, Food and Nutrition Act of 2008 (7 U.S.C. Section 2026), to restrict the purchase of food

1 items with minimal nutritional value under the supplemental
2 nutrition assistance program provided under Chapter 33, Human
3 Resources Code, by:

4 (1) amending the list of allowable food items under
5 the program to better align that list with nutrition standards
6 under the national free or reduced-price lunch program established
7 under 42 U.S.C. Section 1751 et seq.; and

8 (2) restricting the purchase of food items considered
9 to have minimal nutritional value under the national free or
10 reduced-price lunch program, including items in the categories of
11 foods listed in 7 C.F.R. Part 210, Appendix B.

12 (b) As soon as practicable after the effective date of this
13 Act, the Health and Human Services Commission shall apply for and
14 actively pursue the waiver or other authorization as required by
15 Subsection (a) of this section.

16 SECTION 3. EFFECTIVE DATE. This Act takes effect
17 immediately if it receives a vote of two-thirds of all the members
18 elected to each house, as provided by Section 39, Article III, Texas
19 Constitution. If this Act does not receive the vote necessary for
20 immediate effect, this Act takes effect September 1, 2015.