

Chapter 730

AN ACT

1
2 relating to the creation of an advisory committee to study the
3 retail availability of healthy foods in certain underserved areas
4 of this state.

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

6 SECTION 1. HEALTHY FOOD ADVISORY COMMITTEE. (a) The
7 executive commissioner of the Health and Human Services Commission
8 and the commissioner of the Department of Agriculture shall jointly
9 establish an advisory committee to study and provide
10 recommendations to the legislature regarding:

11 (1) the areas of this state that are underserved in the
12 retail availability of fresh fruits and vegetables and other
13 healthy foods; and

14 (2) the impact of the limited retail availability on
15 proper nutrition and on obesity and related chronic illnesses.

16 (b) The advisory committee consists of eight members as
17 follows:

18 (1) four members appointed by the executive
19 commissioner of the Health and Human Services Commission; and

20 (2) four members appointed by the commissioner of the
21 Department of Agriculture.

22 (c) In appointing members of the advisory committee, the
23 executive commissioner of the Health and Human Services Commission
24 and the commissioner of the Department of Agriculture shall ensure

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1 that the members reflect the diversity of this state, with members
2 representing:

- 3 (1) rural areas;
- 4 (2) urban areas; and
- 5 (3) different geographical regions of the state.

6 (d) An advisory committee member is not entitled to
7 reimbursement of expenses or to compensation.

8 (e) The advisory committee shall meet not later than the
9 30th day after the date the initial appointments are made and shall
10 select a presiding officer. The committee shall meet regularly as
11 necessary at the call of the presiding officer.

12 (f) The advisory committee shall:

13 (1) investigate the retail availability of fresh
14 fruits and vegetables and other healthy foods in this state;

15 (2) develop recommendations for creating and a plan
16 for implementing a statewide financing program to bring fresh food
17 retailers into areas of this state that are underserved in regard to
18 the retail availability of fresh fruits and vegetables and other
19 healthy foods; and

20 (3) perform other advisory duties as requested by the
21 executive commissioner of the Health and Human Services Commission
22 or the commissioner of the Department of Agriculture regarding the
23 availability of fresh fruits and vegetables and other healthy foods
24 in this state.

25 (g) Not later than September 1, 2010, the advisory committee
26 shall submit to the legislature a report outlining:

- 27 (1) the costs, benefits, and feasibility of a

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1 statewide financing program to bring fresh food retailers into
2 areas of this state that are underserved in regard to the retail
3 availability of fresh fruits and vegetables and other healthy
4 foods; and

5 (2) a plan for implementing the program.

6 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,
7 Government Code, does not apply to the advisory committee
8 established under this Act.

9 SECTION 3. EXPIRATION. The advisory committee established
10 under this Act is abolished and this Act expires September 1, 2011.

11 SECTION 4. EFFECTIVE DATE. This Act takes effect
12 immediately if it receives a vote of two-thirds of all the members
13 elected to each house, as provided by Section 39, Article III, Texas
14 Constitution. If this Act does not receive the vote necessary for
15 immediate effect, this Act takes effect September 1, 2009.

Use
file

S.B. No. 343

David Newkumst
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 343 passed the Senate on
March 19, 2009, by the following vote: Yeas 31, Nays 0.

Atsuy Saw
Secretary of the Senate

I hereby certify that S.B. No. 343 passed the House on
May 27, 2009, by the following vote: Yeas 140, Nays 8, one
present not voting.

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

2 pm O'CLOCK

JUN 19 2009

Colby Hunter III