AN ACT
relating to the creation of an advisory committee to study the
retail availability of healthy foods in certain underserved areas
of this state.

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

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

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

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

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

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

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

(c) In appointing members of the advisory committee, the
executive commissioner of the Health and Human Services Commission
and the commissioner of the Department of Agriculture shall ensure
that the members reflect the diversity of this state, with members
representing:

(1) rural areas;
(2) urban areas; and
(3) different geographical regions of the state.
(d) An advisory committee member is not entitled to
reimbursement of expenses or to compensation.
(e) The advisory committee shall meet not later than the
30th day after the date the initial appointments are made and shall
select a presiding officer. The committee shall meet regularly as
necessary at the call of the presiding officer.
(f) The advisory committee shall:

(1) investigate the retail availability of fresh
fruits and vegetables and other healthy foods in this state;
(2) develop recommendations for creating and a plan
for implementing a statewide financing program to bring fresh food
retailers into areas of this state that are underserved in regard to
the retail availability of fresh fruits and vegetables and other
healthy foods; and
(3) perform other advisory duties as requested by the
executive commissioner of the Health and Human Services Commission
or the commissioner of the Department of Agriculture regarding the
availability of fresh fruits and vegetables and other healthy foods
in this state.
(g) Not later than September 1, 2010, the advisory committee
shall submit to the legislature a report outlining:

(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.
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David Dewhurst
President of the Senate

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

Dan Blink
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

Rick Perry
Governor

Filed in the Office of the Secretary of State

O'Clock

Jun 19 2009

Colby Shuster