

## **BILL ANALYSIS**

Senate Research Center

S.B. 1598  
By: Ellis  
State Affairs  
4-16-97  
As Filed

### **DIGEST**

Currently, one out of every four children in Texas can be classified as hungry--meaning they are unable to obtain the basic nourishment they need without help from public or private programs, according to a newly-released study funded by Texas A&M University. In addition, more than 70 percent of hungry Texas families are "working poor," which means families that have at least one member employed still have inadequate resources to meet all their family's food and nutrition needs.

Community gardens provide families who do not own land a place to garden. Community gardens provide families with the opportunity to grow fresh and nutritious food to supplement family incomes and increase family food security. This bill establishes a community nutrition task force and community food gardens.

### **PURPOSE**

As proposed, S.B. 1598 establishes a community nutrition task force and community food gardens.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 10G, Government Code, by adding Chapter 2310, as follows:

#### **CHAPTER 2310. COMMUNITY NUTRITION TASK FORCE**

Sec. 2310.001. **TASK FORCE; PURPOSE.** Establishes the Community Nutrition Task Force (task force) to coordinate and implement a community food production and farmers market program using underutilized state land or other appropriate state-owned property for the benefit of low-income and needy families.

Sec. 2310.002. **COMPOSITION OF TASK FORCE.** Sets forth the participating members of the task force.

Sec. 2310.003. **IDENTIFICATION OF SUITABLE UNDERUTILIZED PROPERTY.** Requires the General Land Office (GLO) to identify underutilized state property which is subject to GLO authority and suitable for the establishment of a community food garden or farmers market.

Sec. 2310.004. **ESTABLISHMENT OF COMMUNITY FOOD GARDENS.** Requires the task force to select suitable state property identified by GLO or other appropriate state-owned property for the establishment by the task force of community food gardens. Requires agencies, services, and organizations that are members of the task force to perform certain functions.

Sec. 2310.005. **FOOD GROWN IN GARDENS.** Prohibits food grown in community food gardens from being sold for individual profit but may be donated or given away in certain

circumstances.

Sec. 231.006. PARTICIPATION BY YOUTH COMMISSION AND DEPARTMENT OF CRIMINAL JUSTICE; COMMUNITY SERVICE. Requires the Texas Youth Commission (commission) and the Texas Department of Criminal Justice (department) to participate in the program by encouraging when feasible the planting of community gardens at residential or correctional facilities under the commission's or department's jurisdiction. Requires one-half of the food grown at a participating facility to be used or donated in a certain manner. Authorizes a juvenile or adult required to perform hours of community service to be allowed to credit hours worked in any community garden established under this chapter toward the required number of community hours.

Sec. 2310.007. FARMERS MARKETS. Authorizes the task force to select suitable underutilized state property on which an association of farmers or an approved nonprofit organization to establish a farmers market for the purpose of selling locally grown fresh produce to consumers under certain conditions. Authorizes GLO to lease the land to the association or organization for a nominal amount for this purpose.

Sec. 2310.008. TRANSACTIONS RELATED TO LAND. Authorizes GLO to execute leases, contracts, or other transactions related to land to accomplish the purposes of this chapter. Provides that the procedures of Chapters 31E and I, Natural Resources Code, do not apply to the leases, contracts, or other transactions.

Sec. 2310.009. INFORMATION ABOUT PROGRAM. Requires the Texas Agricultural Extension Service include periodically revised information about the task force's program, when appropriate, as part of the service's own programs.

Sec. 2310.010. REPORT. Requires the task force to report the results of its efforts to certain government officials by a certain date.

SECTION 2. Emergency clause.

Effective date: upon passage.