

## **BILL ANALYSIS**

Senate Research Center  
81R6108 TRH-F

H.B. 1622  
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Health & Human Services  
4/29/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There is a lack of strategies to provide sufficient access to nutritious foods among children at risk of hunger or obesity outside of school and under the age of five. The Texas Department of Agriculture implements the National School Lunch Program, the School Breakfast Program, and the Summer School Program to provide children with nutritious foods in school settings, but there is currently no program providing access to nutritious food in the time spent outside of school and to children under the age of five.

This bill will combat the growing crises of hunger and obesity among Texas youth by providing access to food choices vital to both effective nutrition education and behavioral change. This bill addresses this deficit and supplements existing efforts by nonprofit agencies to combat child obesity by establishing a grant program to purchase and distribute nutritious foods to children at risk of hunger or obesity.

H.B. 1622 amends current law relating to a grant program to provide children at risk of hunger or obesity with increased access to nutritious foods.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 25.001, Agriculture Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of agriculture in SECTION 1 (Section 25.005, Agriculture Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 2, Agriculture Code, by adding Chapter 25, as follows:

#### **CHAPTER 25. CHILDREN'S ACCESS TO NUTRITIOUS FOOD PROGRAM**

Sec. 25.001. CREATION. Requires the Texas Department of Agriculture (TDA) by rule, using funds appropriated for that purpose, to develop and implement a children's access to nutritious food program to award grants to nonprofit organizations for the purposes of allowing food banks to provide children at risk of hunger or obesity with access to nutritious food outside the school day.

Sec. 25.002. ELIGIBILITY. Provides that a nonprofit organization is eligible to receive a grant under this chapter if the organization has at least five years of experience coordinating a statewide network of food banks and charitable organizations that serves each county of this state; operates a program through a statewide network of food banks that provides children at risk of hunger or obesity with access to nutritious food outside the school day; and submits to TDA, in the manner and time prescribed by TDA, a detailed proposal for a program to purchase and distribute food using grant money to food banks or other charitable organizations that includes a schedule of projected costs for the program, measurable goals for the program, and a plan for evaluating the success of the program.

Sec. 25.003. USE OF FUNDS. Authorizes a recipient of a grant under this chapter to use the grant only for the purchase of certain nutritious foods.

Sec. 25.004. REPORT. Requires a nonprofit organization that receives a grant under this chapter at regular intervals prescribed by TDA to report the results of the organization's program to TDA. Requires that a report under this section for a prescribed reporting period include a statement of the amount of food purchased and distributed using grant funds; a statement of the leveraged value of grant funds; a list of specific programs that benefited from grant funds; and a detailed accounting of how grant funds were spent.

Sec. 25.005. RULES. Authorizes the commissioner of agriculture (commissioner) to adopt rules as necessary to implement this chapter.

SECTION 2. Requires TDA, as soon as possible after the effective date of this Act, to implement the children's access to nutritious food program under Chapter 25, Agriculture Code, as added by this Act.

SECTION 3. Effective date: September 1, 2009.