

BILL ANALYSIS

Senate Research Center

S.B. 282
By: Nelson
Education
8/7/2009
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Nutrition habits are developed early in life and should be instilled in children in various settings throughout the day and not just in school. Texas ranks sixth nationally in the rate of children who are obese or overweight. Seventy percent of overweight children will become overweight adults. Schools are asked to be the primary providers of nutrition education and nutritious foods and their efforts to establish effective programs to improve the health of students through innovative nutrition practices should be recognized and rewarded.

S.B. 282 amends current law relating to grant and outreach programs to provide nutrition education to children.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 12.0027, Agriculture Code), SECTION 2 (Section 38.026, Education Code), and SECTION 3 (Section 33.028, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 12, Agriculture Code, by adding Section 12.0027, as follows:

Sec. 12.0027. NUTRITION OUTREACH PROGRAM. (a) Authorizes the Texas Department of Agriculture (TDA) to develop an outreach program to promote better health and nutrition programs and prevent obesity among children in this state.

(b) Authorizes TDA to solicit and accept gifts, grants, and donations from any public or private source for the purposes of this section.

(c) Authorizes TDA to adopt rules as necessary to administer an outreach program established under this section.

SECTION 2. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.026, as follows:

Sec. 38.026. GRANT PROGRAM FOR BEST PRACTICES IN NUTRITION EDUCATION. (a) Requires TDA to develop a program under which TDA awards grants to public school campuses for best practices in nutrition education.

(b) Authorizes TDA to solicit and accept gifts, grants, and donations from any public or private source for the purposes of this section.

(c) Authorizes TDA to adopt rules as necessary to administer a grant program established under this section.

SECTION 3. Amends Chapter 33, Human Resources Code, by adding Section 33.028, as follows:

Sec. 33.028. GRANT PROGRAMS FOR NUTRITION EDUCATION. (a) Requires TDA to develop a program under which TDA awards grants to participants in the Child and Adult Care Food Program, Head Start program, or other early childhood education

programs to operate nutrition education programs for children who are at least three years of age but younger than five years of age, and community and faith-based initiatives that provide recreational, social, volunteer, leadership, mentoring, or developmental programs to incorporate nutrition education into programs provided for children younger than 19 years of age.

(b) Authorizes TDA to solicit and accept gifts, grants, and donations from any public or private source for the purposes of this section.

(c) Authorizes TDA to adopt rules as necessary to administer the grant programs established under this section.

SECTION 4. Provides that this Act does not make an appropriation. Provides that a provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

(b) Provides that it is the intent of the legislature that not more than \$4 million may be appropriated for the implementation of this Act for the state fiscal biennium beginning September 1, 2009.

SECTION 5. Effective date: upon passage or September 1, 2009.