

## **BILL ANALYSIS**

Senate Research Center  
81R6741 ALB-D

C.S.S.B. 344  
By: Nelson  
Agriculture & Rural Affairs  
3/25/2009  
Committee Report (Substituted)

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

Low-income children are more likely to become obese, putting them at risk for chronic diseases such as diabetes. A lack of fresh fruits and vegetables exacerbates their increased risk of becoming obese. While the Supplemental Nutrition Assistance Program (SNAP) [formerly the food stamp program] as well as Women, Infants, and Children's (WIC) benefits are technically allowed at farmers markets, few vendors or clients are aware of this option, and most vendors do not have the technology to enable them to accept the electronic Lone Star Card benefits. The federal government does not prohibit WIC benefits from being accepted at farmers markets, but only one vendor in Texas currently accepts them.

C.S.S.B. 344 establishes an advisory committee to study and make recommendations to the legislature regarding the costs, benefits, feasibility, acceptance, incorporation, and use of food stamps and WIC program benefits at Texas farmers markets.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. ESTABLISHMENT OF ADVISORY COMMITTEE. (a) Defines "farmers market," "food stamp program," and "W.I.C. program."

(b) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) and the commissioner of the Department of Agriculture (commissioner) to jointly establish an advisory committee to study and provide recommendations to the legislature regarding the incorporation and use of food stamps and W.I.C. program benefits at farmers markets in the state.

(c) Provides that the advisory committee consists of nine members and requires that the commissioner and the executive commissioner appoint persons who represent certain groups and entities.

(d) Provides that an advisory committee member is not entitled to reimbursement of expenses or to compensation.

(e) Requires the advisory committee to meet within 30 days after the date the initial appointments have been made and to select a presiding officer. Requires the committee to meet regularly as necessary.

(f) Requires the advisory committee to study the costs and benefits of incorporating food stamp and W.I.C. program benefits at farmers markets for the purchase of fresh, local produce; determine the feasibility and cost of providing handheld scanners to farmers market vendors to accept electronic benefits transfer (EBT) cards; determine methods of marketing and outreach to farmers market vendors and food stamp and W.I.C. program participants to encourage the use of food stamps and W.I.C. program benefits to purchase fresh, local produce from farmers markets; study methods of funding the transition to farmers market participation in the food stamp and W.I.C. programs, including federal, state, and private funding; and perform other advisory duties as requested by the

executive commissioner regarding the acceptance of food stamps and W.I.C. program benefits at farmers markets.

(g) Requires the Department of Agriculture to provide administrative support, including staff, for the advisory committee.

(h) Requires the advisory committee, not later than September 1, 2010, to submit to the legislature a report outlining the costs, benefits, and feasibility of incorporating food stamp and W.I.C. program benefits at farmers markets to purchase fresh, local produce.

SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the advisory committee established under this Act.

SECTION 3. EXPIRATION. Provides that the advisory committee established under this Act is abolished and this Act expires September 1, 2011.

SECTION 4. EFFECTIVE DATE: upon passage or September 1, 2009.