

BILL ANALYSIS

Senate Research Center

S.B. 1454
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Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 556 from the 80th Legislature, Regular Session, 2007, established the Texas Interagency Obesity Council (council). The council is comprised of the commissioners of the Texas Education Agency, the Department of State Health Services, and the Texas Department of Agriculture (TDA). The council has proven to be an effective means for coordinating and improving current health-related initiatives and should be directed to continue its efforts.

S.B. 1454 expands the council's duties by requiring it to create the best practices to promote healthier eating. This bill also requires the council to develop recommendations to help fund programs to bring fresh food to underserved retailers, to facilitate locally grown food for daycares and schools, to consider tax incentives for those who promote activities to reduce obesity in the workplace, and to consider incentives to encourage individuals on nutritional assistance to eat healthier foods like fruits and vegetables. This bill requires the council to increase the number of meetings to be held by the council, and that TDA's recommendations and findings be reported to the legislature by October 31, 2011.

As proposed, S.B. 1454 amends current law relating to the membership and duties of the interagency obesity council.

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. Amends Section 114.002, Health and Safety Code, as follows:

Sec. 114.001. INTERAGENCY OBESITY COUNCIL. (a) Requires the Interagency Obesity Council (council) to provide leadership to the commissioner of agriculture, the commissioner of state health services, and the commissioner of education in developing, implementing, and coordinating programs that promote better health and nutrition, increase access to healthy foods, and prevent obesity among children and adults in this state.

(b) Provides that the council is composed of:

(1) a representative of:

(A) the Texas Department of Agriculture, appointed by the commissioner of agriculture;

(B) the Texas Education Agency, appointed by the commissioner of education; and

(C) the Department of State Health Services, appointed by the commissioner of state health services; and

(2) at least one representative of each of the following groups, appointed by the commissioner of agriculture:

(A) educational institutions that conduct research in the areas of agriculture, health, and nutrition;

(B) health professionals with expertise in nutrition;

(C) fruit and vegetable producer organizations;

(D) food retailers;

(E) child nutrition and advocacy organizations; and

(F) economic development professionals with expertise in the area of supermarket development.

(c) Requires the commissioner of agriculture, in appointing members of the council under Subsection (b)(2), to 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) Requires members of the council to select one member to serve as presiding officer. Deletes existing text providing that the council is composed of the commissioner of agriculture, the commissioner of state health services, and the commissioner of education, or a staff member designated by each of those commissioners.

SECTION 2. Amends Section 114.005, Health and Safety Code, as follows:

Sec. 114.005. New heading: DUTIES OF THE COUNCIL. (a) Creates this subsection from existing text. Makes no further changes.

(b) Requires the council to:

(1) identify best practices to promote better health and nutrition, increase access to healthy foods, and prevent obesity among children and adults;

(2) develop recommendations for creating and 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;

(3) develop recommendations to facilitate the availability of locally grown food products in child care programs and public schools;

(4) consider the feasibility of tax incentives for employers who promote activities designed to reduce obesity in the workforce;

(5) consider the feasibility of financial incentives to encourage recipients of benefits under a nutritional assistance program under Chapter 33 (Nutritional Assistance Programs), Human Resources Code, to purchase more fresh fruits and vegetables and other healthy foods; and

(6) provide assistance as requested by the commissioner of agriculture, the commissioner of state health services, or the commissioner of education regarding programs that promote better health and nutrition, increase access to healthy foods, or prevent obesity among children and adults.

SECTION 3. Amends Sections 114.007(a) and (b), Health and Safety Code, as follows:

(a) Requires the council, not later than October 31 of each even-numbered year, rather than January 15 of each odd-numbered year, to submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives on the activities of the council under Sections 114.005 and 114.006 (Evidence-Based Public Health Awareness Plan) during the preceding two calendar years.

(b) Requires that a report submitted by the council under Subsection (a) include certain information regarding discussions of agency programs and other council activities under Section 114.005.

SECTION 4. Amends Section 114.008(a), Health and Safety Code, to require the council to meet regularly as necessary, rather than at least once each year, to perform its duties under Sections 114.005 and 114.006, at the call of the presiding officer.

SECTION 5. (a) Requires the designated appointing officials, as soon as practicable after the effective date of this Act, to make appointments to the council to achieve the composition prescribed by Section 114.002 (Interagency Obesity Council), Health and Safety Code, as amended by this Act.

(b) Requires the council, not later than the 30th day after the date all of the appointments required under Subsection (a) of this section have been made, to meet and select a presiding officer.

SECTION 6. Effective date: upon passage or September 1, 2011.