

## BILL ANALYSIS

Senate Research Center  
80R2082 KFF-D

S.B. 1497  
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Natural Resources  
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As Filed

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

Obesity is the fastest growing cause of disease and death in America. Treatment for the health effects of obesity costs Texas \$10 billion per year and several Texas cities have been cited as having the highest rates of obesity in the nation. Obesity, diabetes, and other diet-related diseases are highly preventable through precautions such as maintaining proper eating habits. Fresh fruits and vegetables help to lower the incidence of diet-related diseases, including type-2 diabetes, heart disease, certain cancers, and strokes. Therefore, increasing the availability of fresh produce is an important measure in helping low-income Texans avoid diet-related illness and improve their overall health. Lowering the incidence of diet-related diseases will save the state money in the long run by reducing the cost of caring for persons with these illnesses.

As proposed, S.B. 1497 will increase the availability of fresh fruits and vegetables to low-income Texans by increasing the capacity of small grocers in low-income communities to offer fresh fruits and vegetables through a pilot program. S.B. 1497 establishes a competitive grant program at the Texas Department of Agriculture to assist small grocers in low-income communities stock a greater variety of fresh produce. Grantees would receive technical assistance and marketing support.

### RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Agriculture in SECTION 1 (Section 22.002(b), Agriculture Code) of this bill.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2, Agriculture Code, by adding Chapter 22, as follows:

#### CHAPTER 22. SMALL RETAILERS COMPETITIVE GRANT PILOT PROGRAM

Sec. 22.001. DEFINITION. Defines "fresh produce" and "program."

Sec. 22.002. ESTABLISHMENT OF SMALL RETAILERS COMPETITIVE GRANT PILOT PROGRAM. (a) Requires the Texas Department of Agriculture (department) to develop and implement a small retailers competitive grant pilot program through which the department will award grants to small retailers in certain low-income communities in this state to improve the health of individuals in those communities by increasing their access to fresh produce.

(b) Requires the department to by rule define "small retailer" for the purposes of this chapter.

(c) Requires the department to operate the program in each school district in which at least 60 percent of the students who reside in that district participate in the national free or reduced-price lunch program established under 42 U.S.C. Section 1751 et seq.

Sec. 22.003. ELIGIBILITY. Provides that a small retailer is eligible to apply for a grant under the program if the small retailer's place of business is located within the boundaries of a school district described by Section 22.002(c) and there is no other retailer of fresh produce within a one-mile radius of the small retailer's place of business.

Sec. 22.004. USE OF AWARDED GRANT MONEY. Authorizes a grant recipient to use grant money awarded under this program only to cover costs that are approved by the department. Authorizes the department to include costs related to certain training of employees and obtaining certain materials.

Sec. 22.005. GRANT RECIPIENT REPORTING REQUIREMENTS. Requires a grant recipient to report information related to the program to the department in the form and manner and at regular intervals as prescribed by the department. Requires each report to include certain information for the period covered by the report.

Sec. 22.006. EVALUATION BY DEPARTMENT. Requires the department to monitor and periodically evaluate the performance of each grant recipient, how each grant recipient uses the grant money awarded under the program, and the effect of the program on the grant recipient and residents of the community served by the grant recipient.

Sec. 22.007. REPORT TO LEGISLATURE. Requires the department to submit, not later than December 1, 2008, an initial report to the legislature that includes an evaluation of the performance and operation of the program and recommendations on the continuation, elimination, or expansion of the program.

SECTION 2. Requires the department to implement the small retailers competitive grant pilot program established under Chapter 22, Agriculture Code, as added by this Act, not later than January 1, 2008.

SECTION 3. Requires the department to submit a final report to the legislature that includes an overall evaluation of the performance and operation of the program as soon as practicable after the completion of the small retailers competitive grant pilot program implemented under Chapter 22, Agriculture Code, as added by this Act, but not later than November 1, 2009.

SECTION 4. Effective date: September 1, 2007.