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Chapter 728

AN ACT

1
2 relating to grant and outreach programs to provide nutrition
3 education to children.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 12, Agriculture Code, is amended by
6 adding Section 12.0027 to read as follows:

7 Sec. 12.0027. NUTRITION OUTREACH PROGRAM. (a) The
8 department may develop an outreach program to promote better health
9 and nutrition programs and prevent obesity among children in this
10 state.

11 (b) The department may solicit and accept gifts, grants, and
12 donations from any public or private source for the purposes of this
13 section.

14 (c) The department may adopt rules as necessary to
15 administer an outreach program established under this section.

16 SECTION 2. Subchapter A, Chapter 38, Education Code, is
17 amended by adding Section 38.026 to read as follows:

18 Sec. 38.026. GRANT PROGRAM FOR BEST PRACTICES IN NUTRITION
19 EDUCATION. (a) The Department of Agriculture shall develop a
20 program under which the department awards grants to public school
21 campuses for best practices in nutrition education.

22 (b) The Department of Agriculture may solicit and accept
23 gifts, grants, and donations from any public or private source for
24 the purposes of this section.

1 (c) The Department of Agriculture may adopt rules as
2 necessary to administer a grant program established under this
3 section.

4 SECTION 3. Chapter 33, Human Resources Code, is amended by
5 adding Section 33.028 to read as follows:

6 Sec. 33.028. GRANT PROGRAMS FOR NUTRITION EDUCATION.

7 (a) The Department of Agriculture shall develop a program under
8 which the department awards grants to:

9 (1) participants in the Child and Adult Care Food
10 Program, Head Start program, or other early childhood education
11 programs to operate nutrition education programs for children who
12 are at least three years of age but younger than five years of age;
13 and

14 (2) community and faith-based initiatives that
15 provide recreational, social, volunteer, leadership, mentoring, or
16 developmental programs to incorporate nutrition education into
17 programs provided for children younger than 19 years of age.

18 (b) The Department of Agriculture may solicit and accept
19 gifts, grants, and donations from any public or private source for
20 the purposes of this section.

21 (c) The Department of Agriculture may adopt rules as
22 necessary to administer the grant programs established under this
23 section.

24 SECTION 4. (a) This Act does not make an appropriation. A
25 provision in this Act that creates a new governmental program,
26 creates a new entitlement, or imposes a new duty on a governmental
27 entity is not mandatory during a fiscal period for which the

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1 legislature has not made a specific appropriation to implement the
2 provision.

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

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.

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David Dewhurst
President of the Senate

Jim Strawn
Speaker of the House

I hereby certify that S.B. No. 282 passed the Senate on April 21, 2009, by the following vote: Yeas 29, Nays 1; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Senn
Secretary of the Senate

I hereby certify that S.B. No. 282 passed the House, with amendment, on May 25, 2009, by the following vote: Yeas 143, Nays 0, one present not voting.

Robert Harey
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 pm O'CLOCK
JUN 19 2009

Colby Hunter III