

BILL ANALYSIS

C.S.H.B. 1015
By: Martinez
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns that lack of notice regarding allergens in certain food service establishments can put individuals with allergies at risk, particularly those who are allergic to peanuts. C.S.H.B. 1015 seeks to address these concerns by requiring those establishments to post a warning sign in certain locations regarding the use of peanut products in preparing food items.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 1015 amends the Health and Safety Code to require a food service establishment that has a designed or designated space for eating and that prepares a food item containing peanuts or a peanut product as an ingredient in the food item to post in a conspicuous place in the area of the establishment in which food is consumed or on the establishment's food menu a warning sign stating that the establishment prepares food items that contain peanut products. The bill requires the executive commissioner of the Health and Human Services Commission to adopt any rules necessary to implement that requirement.

EFFECTIVE DATE

September 1, 2020.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1015 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision giving a food service establishment the option of posting the sign on the food menu.

The substitute changes the bill's effective date from January 1, 2020, to September 1, 2020.