Sec. 313.010. CERTAIN ENTITIES INELIGIBLE. An entity that has been issued a registration number under Section 151.359 is not eligible to receive a limitation on appraised value under this chapter.

SECTION 5. Section 321.208, Tax Code, is amended to read as follows:
Sec. 321.208. STATE EXEMPTIONS APPLICABLE. The exemptions provided by Subchapter H, Chapter 151, apply to the taxes authorized by this chapter, except as provided by Sections 151.359(j) and (k) 151.317(b).

SECTION 6. Section 323.207, Tax Code, is amended to read as follows:
Sec. 323.207. STATE EXEMPTIONS APPLICABLE. The exemptions provided by Subchapter H, Chapter 151, apply to the taxes authorized by this chapter, except as provided by Sections 151.359(j) and (k) 151.317(b).

SECTION 7. The change in law made by this Act does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

SECTION 8. This Act takes effect September 1, 2013.

Passed by the House on May 9, 2013: Yeas 137, Nays 3, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1223 on May 24, 2013: Yeas 143, Nays 1, 1 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 23, Nays 8.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 1275
H.B. No. 1382
AN ACT
relating to the regulation of food prepared, stored, distributed, or sold at farms and farmers' markets; limiting the applicability of a fee.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 437.001, Health and Safety Code, is amended by adding Subdivision (6) to read as follows:
(6) "Produce" means fresh fruits or vegetables.

SECTION 2. Section 437.020, Health and Safety Code, is amended to read as follows:
Sec. 437.020. REGULATION OF FOOD [PRODUCE] SAMPLES AT FARMS AND [MUNICIPALLY OWNED] FARMERS' MARKETS. (a) In this section:
(1) "Farmers' market" means a designated location used primarily for the distribution and sale directly to consumers of food by farmers or other producers.
(2) "Food" means an agricultural, apicultural, horticultural, silvicultural, viticultural, or vegetable product for human consumption, in either its natural or processed state, that has been produced or processed or otherwise has had value added to the product in this state. The term includes:
(A) fish or other aquatic species;
(B) livestock, a livestock product, or a livestock by-product;
(C) planting seed;
(D) poultry, a poultry product, or a poultry by-product;
(E) wildlife processed for food or by-products;
(F) a product made from a product described by this subdivision by a farmer or other producer who grew or processed the product, or

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(G) produce.

(b) Except as provided by this section and Sections 437.0201, 437.0202, and 437.0203 [Subsection (b)],

(1) this chapter does not regulate the provision of samples of food or the sale of food [produce] to consumers at a farm or [municipally owned] farmers' market; and

(2) a rule adopted under state law may not regulate the provision of samples of food or the sale of food [produce] to consumers at a farm or [municipally owned] farmers' market.

(c) Samples of food [produce] may [only] be prepared and distributed at a farm or [municipally owned] farmers' market if the following sanitary conditions exist:

(1) produce samples must be kept in approved, clean, and covered containers;

(2) produce samples must be distributed in a sanitary manner;

(3) produce samples must be prepared and distributed at a farm or [municipally owned] farmers' market if the following sanitary conditions exist:

(A) wear [clean, disposable plastic gloves] when preparing [cutting produce] samples; or

(B) observe proper hand washing techniques immediately before preparing samples;

(4) produce intended for sampling must be washed in potable water to remove any soil or other visible material [so that it is wholesome and safe for consumption];

(5) potable water must be available for [hand] washing [and sanitizing as approved by the local or state enforcement agency];

(6) [potentially hazardous food as determined by rule of the department, must be maintained at or below 41 degrees Fahrenheit or, and produce samples must be] disposed of within two hours after cutting or preparing; and

(7) utensil and hand washing water must be disposed of in a facility connected to the public sewer system or in a manner approved by the local or state enforcement agency;

(8) utensils and cutting surfaces used for cutting samples must be smooth, nonabsorbent, and easily cleaned or disposed of [as approved by the local or state enforcement agency].

(d) A person who sells or provides a sample of meat or poultry or food containing meat or poultry must comply with Chapter 433.

(e) This section does not authorize the sale of or provision of samples of raw milk or raw milk products at a farmers' market.

SECTION 3. Section 437.0201, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) In this section, "farmers' market" and "food" have the meanings assigned by Section 437.0201 [mean a designated location used primarily for the distribution and sale directly to consumers of food products by farmers or other producers];

(e) The executive commissioner or a state or local enforcement agency may not adopt a rule requiring a farmers' market to pay a permit fee for conducting a cooking demonstration or providing samples of food if the demonstration or provision of samples is conducted for a bona fide educational purpose.

SECTION 4. Sections 437.0202(a) and (b), Health and Safety Code, are amended to read as follows:

(a) In this section, "farmers' market" and "food" have [meaning] assigned by Section 437.0201 [437.0201].

(b) The executive commissioner by rule may adopt temperature requirements for food sold at, prepared on-site at, or transported to or from a farmers' market under Section 437.020, [or] 437.0201, or 437.0203. Food prepared on-site at a farmers' market may be sold or distributed at the farmers' market only if the food is prepared in compliance with the temperature requirements adopted under this section.
SECTION 5. Chapter 437, Health and Safety Code, is amended by adding Section 437.0203 to read as follows:

Sec. 437.0203. REGULATION OF COOKING DEMONSTRATIONS AT FARMERS’ MARKETS. (a) In this section, “farmers’ market” and “food” have the meanings assigned by Section 437.020.

(b) Except as provided by this section and Sections 437.020, 437.0201, and 437.0202:

(1) this chapter does not regulate cooking demonstrations at a farmers’ market; and

(2) a rule adopted under state law may not regulate cooking demonstrations at a farmers’ market.

(c) A person may conduct a cooking demonstration at a farmers’ market only if:

(1) regardless of whether the demonstrator provides a sample of food to consumers, the farmers’ market that hosts the demonstration:

(A) has an establishment operator with a valid certification under Subchapter D, Chapter 438, supervising the demonstration; and

(B) complies with Sections 437.020 and 437.0202, the requirements of a temporary food establishment under this chapter, and rules adopted under this chapter; and

(2) when the demonstrator provides a sample of food to consumers:

(A) the demonstrator provides a sample only and not a full serving; and

(B) samples of food prepared during a demonstration are disposed of not later than two hours after the beginning of the demonstration.

SECTION 6. This Act takes effect September 1, 2013.

Passed by the House on May 10, 2013: Yeas 137, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1382 on May 23, 2013: Yeas 142, Nays 2, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2013: Yeas 30, Nays 1.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1276

H.B. No. 1435

AN ACT

relating to certain notices, reports, and descriptions provided by or filed with court and county clerks.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 46C.003, Code of Criminal Procedure, is amended to read as follows:

Art. 46C.003. VICTIM NOTIFICATION OF RELEASE. If the court issues an order that requires the release of an acquitted person on discharge or on a regimen of outpatient care, the clerk of the court issuing the order, using the information provided on any victim impact statement received by the court under Article 56.03 or other information made available to the court, shall notify the victim or the victim’s guardian or close relative of the release. Notwithstanding Article 56.08(f), the clerk of the court may inspect a victim impact statement for the purpose of notification under this article. On request, a victim assistance coordinator may provide the clerk of the court with information or other assistance necessary for the clerk to comply with this article.

SECTION 2. Section 58.110(c), Family Code, is amended to read as follows:

(c) The clerk of the court exercising jurisdiction over a juvenile offender’s case shall report the disposition of the case to the department. [A clerk of the court who violates this subsection commits an offense. An offense under this subsection is a Class C misdemeanor.]

SECTION 3. Section 85.042(a-1), Family Code, is amended to read as follows: