HB 1247 by Rep. Cody Harris, Streamlined Restaurant Regulations

Background

- Texas restaurants comply with a complicated patchwork of food safety regulations.
  - The Texas Department of State Health Services (DSHS) adopts food safety standards, usually following the US Food and Drug Administration's Food Code.
  - Local health departments operated by cities and counties also have the authority to enforce stricter rules.

- This regulatory patchwork can create confusion and duplicative permits that become very costly for restaurants—most of which are small businesses.

Bill Summary

- HB 1247 streamlines restaurant regulations across the state while maintaining the focus on food safety. Specifically, the bill:
  - Prevents local health departments from enforcing rules that differ from statewide standards until the local rules have been posted in a public database for at least 60 days;
  - Clarifies that ceilings, bar fronts, wall art, and similar surfaces do not have to meet the same cleanable surface standards that apply to cooking, preparation, and eating surfaces;
  - Prohibits cities and counties from assessing a local restaurant fee and a local alcohol fee from the same business beyond the first time the business’ TABC permit/license is issued (which is when the local government must certify the business is in a wet area);
  - Prohibits local governments from requiring a restaurant to obtain a permit or pay a fee to accept deliveries or play background music; and
  - Prohibits local governments from charging food managers a permit fee when they've already completed a state-approved certification, mirroring existing Texas law for food handlers.

- By creating more predictable, consistent regulations across the state, Texas can improve food safety rule compliance while reducing regulatory burdens for restaurants.