

BILL ANALYSIS

S.B. 1358
By: Parker
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that local authorities' regulation of the sound levels of late-night and overnight deliveries to food service establishments across the state can often lead to uncertainty for these establishments. S.B. 1358 seeks to remedy this issue by promoting a standardized approach to the regulation of late-night and overnight deliveries to food service establishments across the state and establishing a sound level limit of 65 dBA when measured from the residential property closest in proximity to the establishment.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1358 amends the Health and Safety Code to prohibit the Department of State Health Services, a county, a municipality, or a public health district from requiring a food service establishment to obtain a sound regulation permit, charging a sound regulation fee to an establishment, or otherwise prohibiting sound-related activity at an establishment for sound arising from the delivery of food, nonalcoholic beverages, food service supplies, or ice to the establishment if the establishment accepts delivery of those items for one hour or less between 10 p.m. and 5 a.m., provided the sound level from the deliveries does not exceed 65 dBA when measured from the residential property closest in proximity to the establishment, excluding traffic and other background noise that can be reasonably excluded.

EFFECTIVE DATE

September 1, 2025.