NCSL Health Policy Tracking Service

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School Nutrition & BMI Reporting*

State	Bill	Description	Sponsor	Status
AK	HB 80	Prohibits soft drinks from being sold during the hours of 8 am through 5 p.m.	Kapsner	2/5/03 Introduced
AR	**HB 1011B**	**Amends language enacted last year that banned the sale of foods and beverages through vending machines in schools. This bill authorizes schools to send not only an academic report card home with students, but also a report card detailing the student's health status, specifically the student's body mass index (BMI). The report card will be accompanied by an explanation of the health effects of BMI, nutrition and physical activity.**	**Boyd**	**1/5/04 Signed by Governor**
CA	AB 2327	Requires the State Department of Education to incorporate specified nutrition and physical activity education curriculum at its next revision of the curriculum framework.	Chan	2/19/04 Introduced
CA	SB 74	Requires vending machines located on state property to offer foods and beverages that meet nutritional guidelines.	Torkalson	1/22/03 Introduced
CO	SB 103	Requests school districts to work with contractors to increase the nutritional value of food offered to students in school vending machines and phase in higher nutritional standards as vendor contracts are renewed. School district boards of education are required to adopt policies implementing a fifty percent threshold, meaning half of all vending machines shall offer healthful foods and beverages by the 2006-2007 school year. Restricts new vendor contracts by prohibiting school districts from entering into or renewing a contract that provides for the sale of unhealthy foods or unhealthy beverages unless the 50 percent threshold exists. Defines terms.	Sandoval	1/12/04 Introduced
FL	SB 306	Childhood Obesity Prevention Act; requires school districts to place restrictions on vending machines in schools.	Margolis	3/2/04 Introduced
FL	HB 169	Restricts the sale of drinks and non-nutritious snacks in schools. Requires school districts to adopt restrictions for schools within the district.	Sobel	11/13/03 Prefiled **2/26/04 Withdrawn prior to consideration**
HI	HB 1939	Vending machines on school grounds shall only dispense water, milk, and one hundred per cent fruit juice. All other beverages are prohibited.	Hiraki	1/23/04 Introduced
HI	HB 1890	Bars vending machines from public schools unless food and beverage items meet nutritional standards yet to be established by the board of education. Establishes a baseline for those nutritional standards.	Arakaki	1/23/04 Introduced
HI	HB 1891	Regardless of means of sale, the sale of all foods to elementary grade students shall be limited to full meals sold breakfast and lunch; fruit, nonfried vegetables, legumes, beverages, dairy products, or grain products sold as individual food items may be sold during times of a break in the school schedule if they meet specific nutritional standards. Restricts type of beverages that may be offered to elementary, middle and high school students.	Arakaki	1/23/04 Introduced
HI	HB 1799	Restricts food items offered for sale in school vending machines according to nutritional standards yet to be developed by local school boards provided that, unless the board requires stricter rules, food and drink items sold from vending machines meet the following criteria: Food items may not contain more than 35 percent calories from fat (excluding nuts or seeds); saturated fat content may not exceed 10 percent of the total caloric content; and sugar content may not exceed 35 percent of the item's total weight (excluding fruits or vegetables). Drink items may include drinking water, milk and electrolyte replacement drinks that contain no more than 42 grams of added sweetener per 20 ounce serving.	Oshiro	1/22/04 Introduced
HI	HB 1670	Pupil Nutrition, Health, and Achievement Act of 2003: sets restrictions on food and beverage items sold by schools and through vending machines.	Arakaki	1/24/03 Introduced
HI	HB 1428	Establishes a grant driven voluntary school nutrition demonstration project to gauge the effects of nutritional standards in schools.	Arakaki	1/23/03 Introduced
HI	SB 2147	Regardless of means of sale, the sale of all foods to elementary grade students shall be limited to full meals sold breakfast and lunch; fruit, nonfried vegetables, legumes, beverages, dairy products, or grain products sold as individual food items may be sold during times of a break in the school schedule if they meet specific nutritional standards. Restricts type of beverages that may be offered to elementary, middle and high school students.	Chun	1/23/04 Introduced

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State	Bill	Description	Sponsor	Status
IL	HB 3974	Prohibits soft drinks and candy from being sold to students via school vending machines, starting January 2005.	Cross	12/23/03 Introduced
IL	HB 4058	Prohibits a public school from selling, offering for sale, or otherwise offering or providing soft drinks to pupils at school at any time, with exceptions. Places restrictions on vending machines located at schools or on school grounds.	Miller	1/14/04 Introduced
IL	SB 2940	Existing law requires children to obtain health exams prior to entering public schools as governed by the Department of Public Health. The Department and the State Board of Education have developed a uniform form that health care providers use to report required information. This bill would amend the requirements to include the collection of data relating to obesity.	Hunter	2/6/04 Introduced **3/2/04 Passed Senate**
IL	SR 438	Recommends creation of a Nutritional Advisory Committee to recommend state-wide school standards for nutrition including formulating a state-wide policy on vending machines in all schools.	Clayborne	2/25/04 Introduced
IL	SB 2898	Sets requirements for competitive foods served as part of the school food program.	Martinez	2/6/04 Introduced
IL	SB 2941	Sets standards for beverages and foods sold in school vending machines. Requires the State Board of Education to prepare and distribute a list of products that meet the standards.	Hunter	2/6/04 Introduced
IN	HB 1014	Requires the board of education establish model standards for local school districts to follow in regards to nutritional content of food and beverages, physical activity standards and measuring BMI of students. Requires that fifty percent (50%) of all beverages and food offered for sale in schools meet the definition of “healthy” as defined by the bill.	Brown	1/26/04 Amended **2/4/04 Passed House**
KY	HB 148	Prohibits the sale at school, during the school day, of chewing gum, water ices, foods with more than 40% added sugar by weight, and other certain other items with more than six grams of fat. Prohibits the sale of any food or beverage in competition with the School Breakfast Program or National School Lunch Program until 30 minutes after the close of the last lunch period, but exempts water, low-fat milk, or juice with at least 25% of real juice from the prohibition. Restrictions would become effective during the 2005-2006 school year. The bill also requires each school district to appoint a food service director and require credentialing. Establishes penalties for failure to comply with school food sale prohibitions.	Burch	1/6/04 Introduced **1/22/04 Passed House**
KY	HB 218	Sets standards for the sale of certain food, beverage, and snack items in vending machines. Permits high schools to sell soda waters 30 minutes after the close of the last lunch period. Prohibits the sale of certain foods inconsistent with the School Breakfast Program or National School Lunch Program until 30 minutes after the close of the last lunch period. Permits schools to sell water, low-fat milk, or juice that contains at least 25% real juice at any time during the school day, only high schools are permitted to sell soda waters at designated times. Provides that a la carte foods on the cafeteria line meet federal standard for breakfast or lunch components. Requires each school district to appoint a food service director. Establishes penalties for failure to comply with the food standards in schools. Requires the Kentucky Department of Education to develop guidelines to incorporate planned, sequential instruction within the elementary and middle school curriculum that promotes lifelong physical activity for implementation in the 2006-2007 school year.	Burch	1/7/04 Introduced

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State	Bill	Description	Sponsor	Status
KY	HB 219	Sets standards for the sale of certain food, beverage, and snack items in vending machines. Permits high schools to sell soda waters 30 minutes after the close of the last lunch period. Prohibits the sale of certain foods inconsistent with the School Breakfast Program or National School Lunch Program until 30 minutes after the close of the last lunch period. Permits schools to sell water, low-fat milk, or juice that contains at least 25% real juice at any time during the school day, only high schools are permitted to sell soda waters at designated times. Provides that a la carte foods on the cafeteria line meet federal standard for breakfast or lunch components. Requires each school district to appoint a food service director. Establishes penalties for failure to comply with the food standards in schools. Requires the Kentucky Department of Education to develop guidelines to incorporate planned, sequential instruction within the elementary and middle school curriculum that promotes lifelong physical activity for implementation in the 2006-2007 school year.	Burch	1/7/04 Introduced **2/18/04 Withdrawn from further consideration**
KY	HB 261	Restricts access to vending machines in elementary, middle and high schools	Feely	1/13/04 Introduced **3/3/04 Passed House**
MA	HB 2571	Bans vending machines containing soda or soft drinks from public school buildings and charter school buildings.	Kearney	1/1/03 Introduced
MA	HB 125	Requires school menus to include nutritional information, including fat grams, vitamins, minerals and calories, when school menus are published in newspapers and on local access television. Accompanied by HB 2571.	Travis	1/1/03 Introduced
MA	HB 1071	Child Nutrition and Physical Activity Advisory Committee to develop and recommend health and physical activity standards for school districts.	Khan	1/1/2003 Introduced9/25/03 Heard in Committee, eligible for executive session
MD	HB 346	Sets nutritional standards for school meals. Restricts the type of beverage that may be offered for sale in schools to water, fruit juices with at least fifty percent fruit juice and no added natural or artificial sweetener, certain electrolyte replacement beverages with a restricted amount of sugar and milk, including low-fat and non-fat milk, flavored milk, soy	Stern	1/28/04 Introduced
MD	SB 559	Requires state board to enhance programs of physical education; limits sale of vending machine items in middle and high schools. Prohibits vending machines in elementary schools.	Pinsky	2/6/04 Introduced
ME	HB 113	Requires the Department of Education to adopt rules providing for healthy eating in schools. Bans chewing gum, candy bars, food or drinks that contain 35% or more sugar or other sweeteners, juices that are less than 100% real fruit juices, and foods with greater than 8 grams of fat per serving, from all schools. Bans soda from all elementary and middle schools, and sodas containing caffeine from high schools. An exemption is granted for contractual agreements for the sale of food and beverages in all schools that were in effect on January 1, 2003.	Faircloth	1/21/03 Introduced
MI	HB 4441	Requires the Department of Education to promulgate rules providing healthy eating in schools; the rules will apply to school meals, vending machines and other food sales and must ban the sale of chewing gum or candy bars, foods and drinks containing more than 35 percent sugar, juice that is less than 100 percent real fruit or vegetable juice, and soft drinks in elementary or middle schools. Provides exemptions for existing contracts.	Accavitti	3/25/03 Introduced
MI	SB 426	If a school district, intermediate school district, or public school academy has vending machines in one or more of its school buildings that sell carbonated soft drinks, the board of the school district or intermediate school district or board of directors of the public school academy shall ensure that in each of those school buildings there is at least 1 vending machine that sells milk for each vending machine in the school building that sells carbonated soft drinks.	Bernero	4/30/03 Introduced
MN	SB 903	Requires school districts to encourage consumption of nutritional beverages, as defined by the bill, and milk if packaged beverages are offered for sale; nutritional beverages must be offered at a lower price than nonnutritional beverages; regulates school contracts with vending machine companies.	Lourey	3/17/03 Introduced

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State	Bill	Description	Sponsor	Status
NM	SB 2409	Directs the state board of education to implement a nutritional integrity policy for public schools. Limits sale of competitive foods in elementary or middle schools.	Dawkins	2/4/04 Introduced
NM	**HM 28**	**Creates a committee to study whether the lack of physical education and nutrition programs and the sale of low-nutrition foods and beverages in public schools are contributing to childhood obesity and the feasibility of increasing funding for nutrition and physical education programs by creating a contractual agreement between New Mexico public schools and the companies that sell products in vending machines on school property.**	**Taylor**	**2/14/04 Introduced** **2/17/04 Adopted**
NM	HB 303	Requires nutritional courses be offered in public schools.	Coll	1/27/04 Introduced
NM	SB 375	Appropriates $50,000 to the public education department for FY 2005 for the purpose of studying how New Mexico public schools can best provide improved nutrition and education for optimum nutrition and physical activity.	Campos	1/28/04 Introduced
NM	SB 379	School Health Education and Nutrition Act: Creates a commission to examine the nutritional standards of school meals and competitive foods and find alternative sources of revenue to replace funds gained through vending machine sales.	Campos	1/28/04 Introduced
NM	SB 339	Bars access to beverages other than water and one hundred percent fruit or vegetable juice by elementary school students. Requires vending machine advertisements and placards to depict only one hundred percent fruit or vegetable juices, water or education programs.	Campos	1/27/04 Introduced
NY	SB 4418	Requires schools to adopt nutritional standards meeting the USDA School Breakfast and Lunch program; applies to all food and beverages offered to students.	Montgomery	4/14/03 Introduced
NY	SB 4556	Prohibits the sale of food items of minimal nutritional value from vending machines located on public school property.	Rath	4/11/03 Introduced
NY	AB 6563	Prohibits the sale of certain foods in vending machines on public school grounds or public school property such as foods which are of minimal nutritional value; requires schools to make every effort to stock the vending machine with foods that contribute to nutritional well-being of pupils; requires future contracts and the renewal of existing contracts to comply with the provisions of this prohibition.	Galef	3/4/03 Introduced
NY	AB 9805	Requires all foods served or sold at public schools outside of the federal school meal program to meet specific requirements relating to the fat and sugar content of foods and portion sizes of foods. Limits sale of junk food.	Prentiss	2/19/04 Introduced
NJ	AB 2356	Prohibits the sale of foods high in sugar and sodium content sold in public schools through vending machines, student stores, food carts, or food concessions.	Conaway	2/26/04 Introduced
NC	SB 590	Places a moratorium on vending contracts; commissions study on school nutrition.	Kinnaird	03/31/03 Introduced
OH	SB 174	Establishes nutritional standards for food sold to students in public elementary schools and prohibits the sale of certain beverages to students in all public schools except under specified conditions.	Miller	1/7/04 Introduced
OH	HB 390	Establishes nutritional standards for food sold to students in public elementary schools and prohibits the sale of certain beverages to students in all public schools. Provides exemptions.	Sykes	1/28/04 Introduced
OK	SB 1230	Limits access to vending machines in schools, bars access to vending machines containing foods or soft drinks with low or no nutritional value by children in grades K through five. Those vending machines may only be accessed by students in grades six through twelve as prescribed by the State Board of Education.	Robinson	2/2/04 Introduced
OK	SB 1425	For elementary and middle schools: requires school districts to replace beverages and snacks in vending machines deemed to be of low or no nutritional value with beverages and snacks that meet USDA guidelines for the federal lunch program. For high schools: calls for price controls on healthy beverages and snacks so that the price is competitive with that of beverages and snacks of low nutritional value.	Cain	2/2/04 Introduced

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State	Bill	Description	Sponsor	Status
OK	SB 1627	Establishes the Health and Fit Kids Act of 2004. Requires the formation of committees in each school to address issues that affect the health and well-being of children including concerns about health and nutrition, physical activity, security, violence and youth suicide. Would provide a system of recognition for schools found to have made significant accomplishments related to improvement of student safety and health.	Cain	2/2/04 Introduced **3/4/04 Passed Senate**
RI	HB 7719	Requires school health programs to include policies dealing with physical education, diet and nutrition.	McNamara	2/19/04 Introduced
RI	SB 398	Directs the department of elementary and secondary education to set standards through regulation for the nutritional value of all foods sold in schools until the end of the last period of each school day. Regulations may require foods to be of a higher level of nutritional value than the minimal nutritional value as most recently defined by the United States Department of Agriculture.	Roberts	2/12/03 Introduced
SC	HB 4528	Competitive foods must be either whole grain products, vegetables, fruits, low-fat milk products or other calcium-rich foods, beans, lean meat, poultry, fish or other protein-rich foods, and beverages must be 100 percent fruit juices and water. School meals must meet federal school breakfast and lunch nutritional requirements and meet USDA nutritional guidelines for Americans.	Altman	1/14/04 Introduced
SD	HCR 1011	Requests all school districts in South Dakota to review the sale of soft drinks and foods of minimal nutritional value in schools during school hours.	Hunhoff	2/10/04 Introduced 2/11/04 Passed House **2/24/04 Failed to Pass Senate**
TN	HB 1723	Sets nutritional standards for foods sold to school children outside of breakfast and lunch meal times; sets restrictions on beverages sold through vending machines and by the school cafeteria.	Fowles	2/26/03 Introduced
TN	HB 2783	Restricts individual food items sold to pupils at K-8 schools to the following food items during school hours whole grain, enriched or fortified grains or grain products; fruits or one hundred percent (100%) fruit juices; water; milk or dairy products; soy-based products; vegetables or vegetable juices; electrolyte-replacement beverages; or nuts, nut spreads, seeds, legumes or trail mixes. No foods of minimum nutritional value may be sold until at least one-half (1/2) hour after the end of the school day. Restrictions apply to vending machines and school nutrition programs.	Fowlkes	1/26/04 Introduced
TN	SB 2743	Companion bill to HB 2783	Trail	1/22/04 Introduced
TN	SB 2414	Bans sale of food items through vending machines in all public schools.	Burchett	1/22/04 Introduced
UT	HB 47	Bars elementary schools from selling food of minimal nutritional value, as defined by the USDA, from vending machines located in a school area accessible to students.	Jones	1/19/04 Introduced
VA	HJR 260	Resolution encourages school divisions to provide age-appropriate and culturally sensitive health, nutrition and physical education necessary to develop and maintain healthy eating habits and physically active lifestyles.	Tata	1/21/04 Introduced 1/30/04 Passed House
VT	HB 272	Requires each school district to adopt a policy on school nutrition including nutritional standards for food sold through vending machines, the school lunch and breakfast programs and fundraising activities.	Connell	2/25/03 Introduced
VT	SB 243	Establishes nutritional standards for food and beverages sold on school grounds and prohibits the sale of food and beverages which do not meet the standards between one half hour before the start of the school day and one half hour after the end of the school day.	Lyons	1/6/04 Introduced
WA	HB 2680	Requires the state school directors association, and the board of health develop a model policy for nutrition and physical activity for schools.	Cody	1/19/04 Introduced
WA	HB 2760	Places nutritional restricts on foods allowed in elementary and middle/junior high schools. Any competitive food may not contain more than 30 percent of its total calories from fat, may not contain more than 10 percent of its total calories from saturated fat and may not contain more than 35 percent of its total weight in sugar.	Schual-Berke	1/20/04 Introduced

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State	Bill	Description	Sponsor	Status
WA	SB 5436	The introduced version of this bill required school districts to implement nutritional standards in elementary and middle schools. The most current version of the bill convenes an advisory committee to develop a model policy regarding access to nutritious foods and opportunities for developmentally appropriate exercise. Recommendations are required to be submitted to the governor and the legislature by January 1, 2005.	Kohl-Welles	1/24/03 Introduced 2/16/04 Passed Senate 3/4/04 Passed House --- To Senate for Concurrence
WV	HB 4505	Requires the sale of healthy beverages in high schools at 75 percent of the cost of soft drinks sold. Prohibits the sale of soft drinks in elementary, middle and junior high schools during the school day. Requires that contracts for the sale of healthy beverages and soft drinks in high schools be made by a competitive bid process.	Foster	2/17/04 Introduced

** This chart does not provide a comprehensive list of bills introduced on this issue. It highlights those bills currently being tracked by NCSL HPTS.*

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