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## A BILL FOR AN ACT

RELATING TO OBESITY PREVENTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. In Hawaii, childhood obesity increased by  
2 thirty-eight per cent between 1999 and 2009, and adult obesity  
3 has more than doubled between 1996 and 2011. As a result of  
4 health risks and complications related to obesity, this  
5 generation of children may be the first generation not to  
6 outlive their parents. Obesity-related medical expenditures in  
7 Hawaii were calculated to be over \$470,000,000 in 2009, and are  
8 continuing to increase. Sugar-sweetened beverages have been  
9 identified by many scientific studies as a major contributor to  
10 the costly obesity epidemic.

11           A 2004 study found that sugared soft drinks are the single  
12 largest contributor of calorie intake in the United States.  
13 According to nutritional standards, sugar-sweetened beverages  
14 such as non-diet soft drinks, energy drinks, sweet teas, and  
15 sports drinks offer little or no nutritional value and contain  
16 massive quantities of added sugars and calories. For example, a  
17 twelve-ounce can of soda contains the equivalent of



1 approximately eight to ten teaspoons of sugar. The American  
2 Heart Association recently released a scientific statement  
3 recommending that a person eating a 2,200-calorie diet should  
4 eat no more than nine teaspoons of refined sugar in a day.  
5 Sugar-sweetened beverages account for almost half the total  
6 added-sugar intake in the United States population and sweetened  
7 beverages displace healthier and more nutrient-dense beverages  
8 like milk, one hundred per cent fruit juice, and water.

9 Refined sugars are one of several important factors that  
10 promote tooth decay, also known as dental caries. Sugar-  
11 sweetened beverages promote caries because they bathe the teeth  
12 of frequent consumers in sugar water for long periods of time  
13 during the day. An analysis of data from 1971 to 1974 found a  
14 strong association between the frequency of between-meal  
15 consumption of soda and dental caries. A recent study found  
16 that young children who drank carbonated sugar-sweetened  
17 beverages had almost double the risk of dental caries.

18 Americans are drinking more sugar-sweetened beverages than  
19 ever before. From 1977 to 2002, Americans doubled the amount of  
20 sugar-sweetened beverages they consumed. Currently, children  
21 and adults consume an average of 172 and 175 calories,



1 respectively, from sugar-sweetened beverages a day. Children  
2 and adolescents now consume ten to thirteen per cent of their  
3 daily caloric intake from sugar-sweetened beverages. There is  
4 also a strong correlation between weight gain and soda  
5 consumption. In children, each additional twelve ounce soft  
6 drink consumed per day increases their likelihood of becoming  
7 obese by sixty per cent. A 2009 California study found that  
8 adults who drink one or more sodas a day are twenty-seven per  
9 cent more likely to be overweight or obese than those who do not  
10 drink soda.

11 The Division of Physical Activity, Nutrition and Obesity at  
12 the Centers for Disease Control and Prevention recommends  
13 decreasing the consumption of sugar-sweetened beverages as one  
14 of six evidence-based strategies for preventing and reducing  
15 excess weight and obesity. The 2010 Dietary Guidelines for  
16 Americans also recommends reducing the intake of sugar-sweetened  
17 beverages as a method to control calorie intake and manage body  
18 weight.

19 A fee on sugar-sweetened beverages could have both fiscal  
20 and health impacts. Economic disincentives are among the most  
21 effective tools to change behavior as tobacco taxes have



1 demonstrated. Hawaii's tobacco taxes have helped to drive the  
2 State's smoking rates to historic lows. Smoking among high  
3 school students decreased sixty-four per cent from 1999 to 2011.  
4 Price has been shown to influence food purchasing behavior as  
5 well. Based on the best estimates to date of the responsiveness  
6 of demand for soft drinks to changes in price, a ten per cent  
7 fee could result in about an eight per cent reduction in  
8 consumption. A more recent modeling study predicted a twenty-  
9 four per cent decrease in consumption in response to a twenty  
10 per cent increase in price, which corresponds to the penny-per-  
11 ounce tax proposed in many states. The effects could be higher  
12 for heavy consumers of soft drinks.

13 The revenues from such a fee would provide a dedicated  
14 source of funding in Hawaii to accelerate the progress in  
15 promoting health and obesity prevention, particularly amongst  
16 children. In order to counteract marketing and environmental  
17 cues that lead to unhealthy behaviors that impact the health of  
18 Hawaii's children, it is important to provide access to programs  
19 and services that promote a healthy lifestyle and good  
20 beginnings.



1           Traditional models of attempting to deal with rising  
2 obesity rates have focused on secondary prevention methods and  
3 have not proven to be successful. Primary prevention methods  
4 such as policy changes, including the development of programs  
5 that help make nutritious foods more affordable and accessible,  
6 provide safe and healthy places for people to engage in physical  
7 activity, and assist children in having a healthy start, are  
8 necessary. A substantial and sustained response is needed to  
9 create cultural and societal changes so healthy choices and  
10 lifestyles are the norm in Hawaii. Providing a dedicated source  
11 of funding for these programs is vital to their success.

12           The purpose of this Act is to discourage excessive  
13 consumption of sugar-sweetened beverages and prevent obesity by,  
14 among other things:

- 15           (1) Establishing a fee on sugar-sweetened beverages sold  
16                 in the State; and  
17           (2) Designating the fees to be used for the coordination  
18                 of obesity prevention programs by the department of  
19                 health.



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4 "PART . SUGAR-SWEETENED BEVERAGES FEE

5 §321-A Definitions. As used in this part, unless the  
6 context otherwise requires:

7 "Bottle" means any closed or sealed container regardless of  
8 size or shape, including those made of glass, metal, paper,  
9 plastic, or any other material or combination of materials.

10 "Bottled sugar-sweetened beverage" means any sugar-  
11 sweetened beverage contained in a bottle that is ready for  
12 consumption without further processing, such as dilution or  
13 carbonation.

14 "Caloric sweetener":

15 (1) Means any substance:

16 (A) Suitable for human consumption and perceived by  
17 humans as sweet, including sucrose, fructose,  
18 glucose, other sugars, and fruit juice  
19 concentrates; and

20 (B) That adds calories to the diet of a person who  
21 consumes that substance; and



1 (2) Does not include non-caloric sweeteners.

2 "Consumer" means a person who purchases a sugar-sweetened  
3 beverage for consumption and not for sale to another.

4 "Department" means the department of health.

5 "Director" means the director of health.

6 "Distributor" means any person, including manufacturers and  
7 wholesale dealers, who receives, stores, manufactures, bottles,  
8 or distributes bottled sugar-sweetened beverages, syrup, or  
9 powder for sale to retailers doing business in the State whether  
10 or not that person also sells such products to consumers.

11 "Fund" means the obesity and chronic disease prevention  
12 special fund established pursuant to section 321-F.

13 "Non-alcoholic beverage" means any beverage that contains  
14 less than one-half of one per cent alcohol per volume.

15 "Non-caloric sweetener":

16 (1) Means any substance:

17 (A) That contains fewer than five calories per  
18 serving; and

19 (B) That is suitable for human consumption and  
20 perceived by humans as sweet, including  
21 aspartame, saccharin, stevia, and sucralose; and



1 (2) Does not include caloric sweeteners.

2 "Place of business" means any place where sugar-sweetened  
3 beverages, syrups, or powders are manufactured or received for  
4 sale in the State.

5 "Powder" means any solid mixture of ingredients that:

6 (1) Contains a caloric sweetener; and

7 (2) Is used in making, mixing, or compounding sugar-  
8 sweetened beverages by combining the powder with any  
9 one or more other ingredients, including:

10 (A) Water;

11 (B) Ice;

12 (C) Syrup;

13 (D) Simple syrup;

14 (E) Fruits;

15 (F) Vegetables;

16 (G) Fruit juice;

17 (H) Vegetable juice;

18 (I) Carbonation; or

19 (J) Other gas.

20 "Retailer" means any person who sells or otherwise  
21 dispenses in the State a sugar-sweetened beverage to a consumer





1 whether or not that person is also a distributor as defined in  
2 this section.

3 "Sale" means the transfer of title or possession for  
4 valuable consideration regardless of the manner the transfer is  
5 completed.

6 "Sugar-sweetened beverage":

7 (1) Means any non-alcoholic beverage, carbonated or  
8 noncarbonated, that is intended for human consumption  
9 and contains any added caloric sweetener; and

10 (2) Does not include:

11 (A) Beverages consisting of one hundred per cent  
12 natural fruit juice or natural vegetable juice  
13 with no added caloric sweetener. For purposes of  
14 this paragraph, "natural fruit juice" or "natural  
15 vegetable juice" means the original liquid  
16 resulting from the pressing of fruits or  
17 vegetables, respectively, or the liquid resulting  
18 from the dilution of dehydrated natural fruit  
19 juice or natural vegetable juice, respectively;  
20 or



- 1 (B) Milk without any added caloric sweetener. For
- 2 purposes of this paragraph, "milk" means natural
- 3 liquid milk regardless of animal source or
- 4 butterfat content; natural milk concentrate,
- 5 whether or not reconstituted, regardless of
- 6 animal source or butterfat content; dehydrated
- 7 natural milk, whether or not reconstituted and
- 8 regardless of animal source or butterfat content;
- 9 soy milk; or rice milk;
  
- 10 (3) Dietary aids. For purposes of this paragraph,
- 11 "dietary aids" means liquid products manufactured for
- 12 use as:
  - 13 (A) An oral nutritional therapy for persons who
  - 14 cannot absorb or metabolize dietary nutrients
  - 15 from food or beverages;
  - 16 (B) A source of necessary nutrition used due to a
  - 17 medical condition; or
  - 18 (C) An oral electrolyte solution for infants and
  - 19 children formulated to prevent dehydration due to
  - 20 illness;
- 21 (4) Infant formula; and



1 (5) Beverages containing less than 4.2 grams of added  
2 caloric sweetener per 8 ounces of beverage.

3 "Syrup" means a liquid mixture of ingredients that:

4 (1) Contains a caloric sweetener; and

5 (2) Is used in making, mixing, or compounding sugar-  
6 sweetened beverages by combining the syrup with any  
7 one or more other ingredients, including:

8 (A) Water;

9 (B) Ice;

10 (C) Powder;

11 (D) Simple syrup;

12 (E) Fruits;

13 (F) Vegetables;

14 (G) Fruit juice;

15 (H) Vegetable juice;

16 (I) Carbonation; or

17 (J) Other gas.

18 §321-B Registration. Every distributor, and any person  
19 intending to become a distributor, shall register with the  
20 department on forms to be prescribed, prepared, and furnished by  
21 the department.



1           §321-C Sugar-sweetened beverages fee imposed. (a) Every  
2 distributor selling sugar-sweetened beverages in the State shall  
3 pay a fee that is imposed at the following rates:

4           (1) \$1.28 per gallon of bottled sugar-sweetened beverages  
5 sold or offered for sale to a retailer for sale in the  
6 State to a consumer; and

7           (2) \$1.28 per gallon of sugar-sweetened beverage produced  
8 from syrup or powder sold or offered for sale to a  
9 retailer for sale in the State to a consumer, either  
10 as syrup or powder or as a sugar-sweetened beverage  
11 derived from that syrup or powder. The volume of  
12 sugar-sweetened beverage produced from syrup or powder  
13 shall be the largest volume resulting from use of the  
14 syrup or powder according to the manufacturer's  
15 instructions.

16           (b) A distributor shall add the amount of a fee levied by  
17 this section to the price of sugar-sweetened beverages sold to a  
18 retailer, and the retailer shall pass the amount of the fee  
19 through to a consumer as a component of the final retail  
20 purchase price. The amount of the fee shall be stated  
21 separately on all invoices, signs, sales or delivery slips,



1 bills, and statements that advertise or indicate the price of  
2 such beverages.

3 (c) Any retailer that sells bottled sugar-sweetened  
4 beverages, syrups, or powders in the State to a consumer shall  
5 become liable at the time of sale to the consumer for the fee  
6 imposed in subsection (a) if the fee imposed by this section has  
7 not already been paid by a distributor.

8 §321-D Exemptions. The following shall be exempt from the  
9 fee imposed by this part:

10 (1) Bottled sugar-sweetened beverages, syrups, and powders  
11 sold by a distributor or a retailer expressly for  
12 resale or consumption outside the State; and

13 (2) Bottled sugar-sweetened beverages, syrups, and powders  
14 sold by a distributor to another distributor, if the  
15 sales invoice clearly indicates that the sale is  
16 exempt. If the sale is to a person who is both a  
17 distributor and a retailer, the sale shall also be  
18 exempt from the fee and the fee shall be paid when the  
19 purchasing distributor who is also a retailer resells  
20 the product to a retailer or a consumer. This



1 exemption shall not apply to any other sale to a  
2 retailer.

3 §321-E Payment. Every distributor, on or before the  
4 fifteenth day of each month, shall file with the department a  
5 form identifying all sales of sugar-sweetened beverages made  
6 during the preceding month. The form shall be prescribed by the  
7 department and shall contain any information as the department  
8 deems necessary for the proper administration of the sugar-  
9 sweetened beverages fee.

10 §321-F Establishment of the obesity and chronic disease  
11 prevention special fund. (a) There is established in the state  
12 treasury the obesity and chronic disease prevention special fund  
13 to be administered by the department, into which shall be  
14 deposited sugar-sweetened beverages fees, interest payments, and  
15 penalty payments, imposed pursuant to this part.

16 (b) All moneys in the fund shall be used for:

17 (1) Costs to implement this part, including:

18 (A) Administrative, audit, independent evaluation,  
19 and compliance activities associated with  
20 collection and payment of the deposits of the  
21 sugar-sweetened beverages fee program;



1 (B) Personnel to implement the sugar-sweetened  
2 beverages fee program, including registration and  
3 enforcement activities; and

4 (C) Associated office expenses;

5 (2) Coordination and support of evidence-based statewide  
6 obesity and chronic disease prevention programs by the  
7 department or other state agencies, including programs  
8 relating to diabetes, cardiovascular disease,  
9 promotion of healthy lifestyles, physical fitness,  
10 nutrition, early childhood health, and other  
11 prevention-oriented public health programs. This  
12 funding shall support population-based programs that  
13 use educational, environmental, policy, and other  
14 public health approaches to achieve the following  
15 goals:

16 (A) Reduce racial, ethnic, and socioeconomic  
17 disparities in obesity rates;

18 (B) Improve access to and consumption of healthy,  
19 safe, and affordable foods;

20 (C) Reduce access to and consumption of calorie-  
21 dense, nutrient-poor foods;



- 1 (D) Encourage physical activity;
- 2 (E) Decrease sedentary behavior; and
- 3 (F) Raise awareness about the importance of nutrition
- 4 and physical activity to obesity prevention;
- 5 (3) Support of non-school hour programs that support
- 6 opportunities for physical activity and nutrition
- 7 education;
- 8 (4) Support of prenatal surveillance and assessment, home
- 9 visitation, early childhood oral health prevention,
- 10 and coordination for families, infants, and children
- 11 at highest health and domestic violence risk. These
- 12 programs shall screen, coordinate, enroll, or refer
- 13 families prenatally or at birth to resources to meet
- 14 their needs to achieve good beginnings through a
- 15 holistic approach;
- 16 (5) Support of health promotion from birth to childhood to
- 17 provide a systems approach that will ensure children
- 18 and families have healthy lifestyles and wellness; and
- 19 (6) \$250,000 per year to be allocated to each federally
- 20 qualified community health center for preventative





1           clinical services directly related to obesity-related  
2           chronic disease.

3           **§321-G Records to be kept.** (a) Every distributor and  
4 retailer shall keep a record of all sales of sugar-sweetened  
5 beverages made by the distributor or retailer in a form as the  
6 department may prescribe.

7           (b) The records as required in subsection (a) shall be  
8 made available, upon request, for inspection by the department;  
9 provided that any proprietary information obtained by the  
10 department shall be kept confidential and shall not be disclosed  
11 to any other person, except:

12           (1) As may be reasonably required in an administrative or  
13 judicial proceeding to enforce any provision of this  
14 part or any rule adopted to implement this part; or

15           (2) Pursuant to an order issued by a court or  
16 administrative agency hearings officer.

17           **§321-H Audit authority.** The director, or the duly  
18 authorized agent of the director, may examine all records  
19 required to be kept under this part and books, papers, and  
20 records of any person engaged in the sale of sugar-sweetened  
21 beverages to verify the accuracy of the payment of the fee



1 imposed by this part and other compliance with this part and  
2 rules adopted pursuant thereto. A person in possession of  
3 books, papers, and records subject to this section and the  
4 person's agents and employees shall give the director, or the  
5 duly authorized agent of the director, the means, facilities,  
6 and opportunities for the examination.

7       **§321-I Contract for administrative services.** The  
8 department may contract the services of a third party to  
9 administer the sugar-sweetened beverages fee program under this  
10 part.

11       **§321-J Management and financial audit.** The auditor shall  
12 conduct a management and financial audit of the sugar-sweetened  
13 beverages fee program for the first two fiscal years the program  
14 is in effect following the implementation of rules, and for each  
15 fiscal year thereafter ending in an even number year. The  
16 auditor shall submit the audit report to the legislature and the  
17 department no later than twenty days prior to the convening of  
18 the next regular session. The costs incurred by the auditor for  
19 the audit shall be reimbursed by the fund.

20       **§321-K Administration by director; rules.** The  
21 administration and enforcement of this part are vested in the



1 director, who shall adopt rules in accordance with chapter 91  
2 for the enforcement and administration of this part.

3 §321-L Criminal penalties. Any person subject to this  
4 part who:

5 (1) Fails to pay the entire fee imposed by this part by  
6 the date that payment is due;

7 (2) Fails to register as a distributor;

8 (3) Fails to submit a form;

9 (4) Fails to maintain records as required by this part; or

10 (5) Violates any other provision of this part,

11 shall be guilty of a misdemeanor.

12 §321-M Civil penalties. (a) Any person subject to this  
13 part who:

14 (1) Fails to pay the entire fee imposed by this part by  
15 the date that payment is due;

16 (2) Fails to register as a distributor;

17 (3) Fails to submit a form;

18 (4) Fails to maintain records required by this part; or

19 (5) Violates any other provision of this part,

20 shall be liable for the amount of the fee that is due and a  
21 penalty equal to fifty per cent of the fee due.



1           (b) The director, or the director's duly authorized  
2 representative, may determine the amount of the fee and the  
3 penalty due under subsection (a) in the event of any nonpayment  
4 or underpayment and demand payment of all sugar-sweetened  
5 beverage fees and penalties. Interest shall accrue on  
6 nonpayment or underpayment of the fee at a rate of eight per  
7 cent per year from the date the fee was due, until paid.

8           **§321-N Unpaid fees and debt.** All fees and penalties  
9 imposed under the provisions of this part remaining due and  
10 unpaid shall constitute a debt to the State and may be collected  
11 from the person owing same by suit or otherwise.

12           **§321-O Enforcement.** (a) If the director determines that  
13 the sugar-sweetened beverages fee, penalties, or interest are  
14 due and owing, the director shall notify the person of the  
15 amount due and owing by certified mail.

16           (b) Any notice issued under subsection (a) shall become  
17 final, unless not later than thirty days after the notice is  
18 mailed, the person named therein requests in writing a hearing  
19 before the director. Whenever a hearing is requested, the  
20 amount owed shall become due and payable only upon completion of  
21 all review proceedings and the issuance of a final order



1 confirming the fee, interest, and penalty in whole or in part.

2 Upon request for a hearing, the director shall require the  
3 requestor to appear before the director for a hearing at the  
4 time and place specified in the notice.

5 (c) Any hearing conducted under this section shall be  
6 conducted as a contested case under chapter 91. If, after a  
7 hearing held pursuant to this section, the director finds that  
8 all or a portion of the fee, interest, or penalty is due, the  
9 director shall take action to collect the amount due as provided  
10 by subsection (d).

11 (d) If the amount of any fee, interest, or penalty is not  
12 paid to the department within thirty days after it becomes due  
13 and payable, the director may institute a civil action in the  
14 name of the State to collect the fee, interest, and penalty. In  
15 any proceeding to collect the fee, interest, or penalty imposed,  
16 the director need show only that:

17 (1) Notice was given;

18 (2) A hearing was held or the time granted for requesting  
19 a hearing expired without a request for a hearing;

20 (3) The fee, interest, or penalty was imposed; and

21 (4) The fee, interest, or penalty remains unpaid.



1 (e) In connection with any hearing held pursuant to this  
2 section, the director shall have the power to subpoena the  
3 attendance of witnesses and the production of evidence on behalf  
4 of all parties.

5 §321-P **Appeal.** Any person aggrieved as set forth in  
6 section 91-14 may appeal the determination of the director to  
7 the appropriate court having jurisdiction over the matter.

8 §321-Q **Distribution of revenues.** One hundred per cent of  
9 revenues collected from the sugar-sweetened beverages fee,  
10 interest payments, and penalty payments imposed pursuant to this  
11 part shall be paid to the obesity and chronic disease prevention  
12 special fund, established in section 321-F.

13 §321-R **Evaluation.** The department shall develop criteria  
14 and components for an independent evaluation to assess the  
15 impact of the fee imposed by this part on consumption of  
16 products subject to the fee established by this part. The  
17 evaluation shall seek to determine the impact of the fee on  
18 sugar-sweetened beverage prices, consumer purchasing behavior,  
19 and health outcomes. The reasonable costs of evaluation shall  
20 be considered an implementation cost of this part.



1           §321-S Annual reports. The department shall provide  
2 annual reports on the sugar-sweetened beverages fee program to  
3 the legislature and the governor no later than twenty days prior  
4 to the convening of each regular session for the period  
5 beginning when the program is in effect following the adoption  
6 of rules pursuant to section 321-K. The reports shall contain:

- 7           (1) Performance indicators;
- 8           (2) Measures of effectiveness;
- 9           (3) Organizational charts; and
- 10          (4) Position descriptions of every type of position  
11           created and salaries paid to each employee.

12 If the administration of the program is contracted to a third  
13 party pursuant to section 321-I, a copy of the contract shall be  
14 appended to the next applicable report, and the contractor shall  
15 abide by these reporting requirements as well. The contractor's  
16 pay scales shall be comparable to equivalent civil service  
17 positions."

18           SECTION 3. Chapter 321, Hawaii Revised Statutes, is  
19 amended by adding a new section to be appropriately designated  
20 and to read as follows:



1           "§321- Hawaii interagency obesity prevention council;  
2 established. (a) There is established within the department of  
3 health for administrative purposes the Hawaii interagency  
4 obesity prevention council, which shall be an advisory board  
5 exempt from section 26-34.

6           (b) The Hawaii interagency obesity prevention council  
7 shall be responsible for:

8           (1) Formulating and advising the governor on the  
9           implementation of a unified ten-year state obesity  
10           prevention strategic plan to address child and adult  
11           obesity in Hawaii;

12           (2) Promoting collaboration among public agencies and  
13           private stakeholders to lower obesity rates in the  
14           State;

15           (3) Monitoring the progress of the state obesity  
16           prevention strategic plan;

17           (4) Providing recommendations to state agencies, the  
18           legislature, and the private sector on improving the  
19           quality, availability, and coordination of obesity  
20           prevention policies and activities;





1       (5) Developing specific strategies to address social  
2       determinants of health as they relate to obesity  
3       prevention; and

4       (6) Activating, coordinating, and maintaining responsive  
5       action among the public, business, and educational  
6       communities to become part of an obesity prevention  
7       strategy.

8       (c) The state obesity prevention strategic plan formulated  
9       pursuant to subsection (b) shall be in writing and shall be a  
10      public document.

11      (d) The council shall consist of at least the following  
12      members or each member's designee:

13      (1) The director of health, who shall serve as chair;

14      (2) The director of human services;

15      (3) The superintendant of education;

16      (4) A representative from the University of Hawaii John A.  
17      Burns school of medicine;

18      (5) One member of the house of representatives to be  
19      designated by the speaker of the house of  
20      representatives;



1       (6) One member of the senate to be designated by the  
2           president of the senate; and

3       (7) One member designated by the governor.

4   Additional members may be added as determined by the Hawaii  
5   interagency obesity prevention council.

6       (e) Members of the Hawaii interagency obesity prevention  
7   council shall serve without compensation.

8       (f) The Hawaii interagency obesity prevention council  
9   shall meet quarterly or more frequently as it deems necessary.

10   A majority of the members of the Hawaii interagency obesity  
11   prevention council shall constitute a quorum to do business and  
12   to validate any decision or act of the council."

13       SECTION 4. There is appropriated out of the obesity and  
14 chronic disease prevention special fund established by this Act  
15 the sum of \$                   or so much thereof as may be necessary  
16 for fiscal year 2015-2016 and the same sum or so much thereof as  
17 may be necessary for fiscal year 2016-2017 for the department of  
18 health to support child and adult obesity and chronic disease  
19 prevention programs, including programs relating to diabetes,  
20 cardiovascular disease, promotion of healthy lifestyles,



1 physical fitness, nutrition, early childhood health, and other  
2 prevention-oriented public health programs.

3 The sums appropriated shall be expended by the department  
4 of health for the purposes of this Act.

5 SECTION 5. In codifying the new sections added to chapter  
6 321, Hawaii Revised Statutes, by section 2 of this Act, the  
7 revisor of statutes shall substitute appropriate section numbers  
8 for the letters used in the designations of, and references to,  
9 the new sections in this Act.

10 SECTION 6. New statutory material is underscored.

11 SECTION 7. This Act shall take effect on July 1, 2015;  
12 provided that the fees established by section 321-C, Hawaii  
13 Revised Statutes, shall be imposed upon the adoption of  
14 administrative rules pursuant to section 321-K, Hawaii Revised  
15 Statutes, for the enforcement and administration of the new part  
16 of chapter 321, Hawaii Revised Statutes, established by this  
17 Act.

18

INTRODUCED BY:           *Neil A. Belletti*            
**(BY REQUEST)**  
JAN 29 2015



# H.B. NO. 1439

**Report Title:**

Obesity Prevention; Sugar-Sweetened Beverage Fee; Hawaii Interagency Obesity Prevention Council; Obesity and Chronic Disease Prevention Special Fund; Appropriation

**Description:**

Imposes a fee on sugar-sweetened beverages. Establishes the obesity and chronic disease prevention special fund and the Hawaii interagency obesity prevention council to support obesity prevention programs. Makes an appropriation from the obesity and chronic disease prevention special fund to the department of health.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

