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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. Hawaii families have busy schedules and face  
2 tough choices when shopping for and preparing healthy food,  
3 making dining out an appealing and sometimes necessary option.

4           The legislature finds that a 2013 study of the most  
5 profitable fast food restaurant chains in the United States  
6 found that only three per cent of the assessed meal combinations  
7 met the expert nutrition standards for children's meals.

8           Sugar-sweetened beverages alone make up to nine per cent of  
9 the calories children consume daily, and medical evidence  
10 suggests sugar-sweetened beverages are linked to obesity.

11           According to the United States Department of Health and  
12 Human Services and the Centers for Disease Control and  
13 Prevention, obesity-related health conditions include type 2  
14 diabetes, heart disease, stroke, high blood pressure, high  
15 cholesterol, certain cancers, asthma, low self-esteem, and  
16 depression.



1 Obesity-related health conditions have serious economic  
2 costs. According to a 2013 report, the State spends an  
3 estimated \$470,000,000 on obesity-related medical costs.

4 The purpose of this Act is to promote healthy meal options  
5 for children and their families and build a healthier community  
6 by limiting sugar-sweetened beverages offered with children's  
7 meals by restaurants.

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

11 "PART . DEFAULT BEVERAGES OFFERED WITH CHILDREN'S MEALS

12 §321- Definitions. As used in this part, unless the  
13 context clearly requires otherwise:

14 "Children's meal" means a combination of food and a  
15 beverage, sold together at a single price, primarily intended  
16 for consumption by children.

17 "Default beverage" means a beverage automatically included  
18 or offered as part of a children's meal, absent a specific  
19 request for an alternate beverage by the purchaser of the  
20 children's meal.



1 "Restaurant" means a food establishment that serves food to  
2 customers for consumption on or off the premises, including  
3 fast-food and full-service dining establishments. "Restaurant"  
4 includes but is not limited to drive through or walk-up  
5 counters, coffee shops, cafes, pizza parlors, and dine-in  
6 establishments. A restaurant, for purposes of this part, may  
7 provide alcoholic beverage sales for drinking on premises;  
8 provided that such sales are ancillary to food service.

9 §321- Default beverages in children's meals. (a) A  
10 restaurant that sells a children's meal that includes a beverage  
11 shall make the default beverage offered with the children's meal  
12 one of the following:

- 13 (1) Water, sparkling water, or flavored water, with no  
14 added natural or artificial sweeteners;
- 15 (2) Milk or non-dairy milk alternatives; or
- 16 (3) A serving of six ounces or less of one hundred per  
17 cent fruit juice.

18 (b) Nothing in this section shall prohibit a restaurant's  
19 ability to sell, or a customer's ability to purchase, a  
20 substitute or alternative beverage instead of the default



1 beverage offered with a children's meal, if requested by the  
2 purchaser of the children's meal.

3 (c) All restaurants shall complete an initial self-  
4 certification certifying whether they offer children's meals  
5 and, if so, certifying that they comply with this section.  
6 Restaurants that sell children's meals shall complete an annual  
7 self-certification, certifying that they comply with this  
8 section."

9 SECTION 3. This Act shall be liberally construed to  
10 accomplish the purpose set forth in section 1 of this Act.

11 SECTION 4. All laws and parts of laws heretofore enacted  
12 that are in conflict with the provisions of this Act are hereby  
13 amended to conform herewith.

14 SECTION 5. If any provision of this Act, or the  
15 application thereof to any person or circumstance, is held  
16 invalid, the invalidity does not affect other provisions or  
17 applications of the Act that can be given effect without the  
18 invalid provision or application, and to this end the provisions  
19 of this Act are severable.

20 SECTION 6. This Act shall take effect on July 1, 2018.

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**Report Title:**

Health; Default Beverages; Children's Meals

**Description:**

Requires restaurants that sell children's meals that include a beverage for a single price to make the default beverage a healthy beverage. (SD1)

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

