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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. The legislature finds that Hawaii families have  
2 busy schedules and face tough choices when shopping for and  
3 preparing healthy food, thus making dining out an appealing and  
4 sometimes necessary option.

5           A 2013 study of the most profitable fast food restaurant  
6 chains in the United States found that only three per cent of  
7 the assessed meal combinations met the expert nutrition  
8 standards for children's meals. Sugar-sweetened beverages alone  
9 make up to nine per cent of the calories children consume daily,  
10 and medical evidence suggests sugar-sweetened beverages are  
11 linked to obesity.

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

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

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

12 "PART . . . **DEFAULT BEVERAGES OFFERED WITH CHILDREN'S MEALS**

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

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

18 "Default beverage" means a beverage automatically included  
19 or offered as part of a children's meal, absent a specific  
20 request for an alternate beverage by the purchaser of the  
21 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.

7 **§321- Default beverages in children's meals.** (a) A  
8 restaurant that sells a children's meal that includes a beverage  
9 shall make the default beverage offered with the children's meal  
10 one of the following:

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

16 (b) Nothing in this section shall prohibit a restaurant's  
17 ability to sell, or a customer's ability to purchase, a  
18 substitute or alternative beverage instead of the default  
19 beverage offered with a children's meal, if requested by the  
20 purchaser of the children's meal.



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

7 **§321- Construction; conflict.** (a) This part shall be  
8 liberally construed to accomplish the purposes of this part.

9 (b) The provisions of this part shall be valid and  
10 enforced, notwithstanding any contrary provision of any state  
11 law or county ordinance."

12 SECTION 3. This Act shall take effect on July 1, 2050.



**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. Effective 7/1/2050. (SD2)

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

