
A BILL FOR AN ACT

RELATING TO HEALTHY BEVERAGES FOR CHILDREN.

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

1 SECTION 1. The legislature finds that over the past thirty
2 years, Hawaii has experienced an unprecedented increase in
3 obesity and chronic conditions like type 2 diabetes, heart
4 disease, liver disease, and tooth decay. The legislature also
5 finds that obesity-related health conditions have serious
6 economic costs. According to the most recent data available,
7 Hawaii spent an estimated \$470,000,000 on obesity-related
8 medical costs in 2013.

9 The legislature further finds that soda and other sugary
10 drinks are the single largest source of excess sugar in the
11 American diet, accounting for nearly half of the added sugars
12 consumed. A top source of calories in children's diets, sugary
13 beverages contribute to the obesity epidemic and typically do
14 not provide any nutritional benefit.

15 The purpose of this Act is to promote healthy meal options
16 for children and support parents' efforts to feed their children
17 nutritious food by ensuring that healthy beverages are the



1 default option in children's meals purchased at restaurants in
2 the State.

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

6 **"§321- _____ Default beverages offered with children's meals.**

7 (a) A restaurant that offers for sale a children's meal that
8 includes a beverage shall offer with the children's meal as a
9 default beverage one or more of the following:

10 (1) Water, sparkling water, or flavored water, with no
11 added natural or artificial sweeteners;

12 (2) Unflavored milk; or

13 (3) A nondairy milk alternative that contains no more than
14 one hundred thirty calories per container or serving.

15 (b) Nothing in this section shall prohibit a restaurant
16 from selling, or a customer from purchasing, an alternative to
17 the default beverage if requested by the purchaser of the
18 children's meal.

19 (c) The department shall adopt rules pursuant to chapter
20 91 to effectuate the purposes of this section.



1 (d) As used in this section, unless the context clearly
2 indicates otherwise:

3 "Children's meal" means a combination of food and a
4 beverage, sold together at a single price by a restaurant,
5 primarily intended for consumption by children.

6 "Default beverage" means a beverage automatically included
7 or offered as part of a children's meal, absent a specific
8 request for a substitute or alternate beverage by the purchaser
9 of the children's meal.

10 "Nondairy milk alternative" means a nondairy fluid milk
11 substitute that meets the national standards for school lunches
12 as set forth in title 7 Code of Federal Regulations section
13 210.10.

14 "Restaurant" shall have the same meaning as in section
15 281-1."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on January 1, 2020.

18

INTRODUCED BY: *Sam*

JAN 18 2019



H.B. NO. 359

Report Title:

Department of Health; Children's Meals; Default Beverage

Description:

Requires restaurants that sell children's meals that include a beverage to make the default beverage a healthy beverage.

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