

HOUSE BILL NO. 578

INTRODUCED BY V. SMALL-EASTMAN

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A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE USE OF VENDING MACHINES IN PUBLIC SCHOOLS; AND PRESCRIBING THE KINDS OF FOOD AND BEVERAGES THAT MAY BE SOLD IN A SCHOOL VENDING MACHINE."

WHEREAS, school districts have the opportunity to create a model environment for our children where lifelong healthy eating habits, including eating patterns, are established and maintained; and

WHEREAS, decreased physical activity and the overconsumption of high-calorie foods has contributed to an epidemic of overweight and obese young people and a sharp increase in the incidence of type II diabetes; and

WHEREAS, the adoption and maintenance of healthy diets and proper portion control by school children can be expected to result in substantial savings in health care costs in future years.

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

NEW SECTION. **Section 1. Restrictions on vending machines in public schools.** (1) The trustees of a school district may not allow a vending machine in a school building or on school grounds unless the food or drink items in the vending machine are limited to:

- (a) food items, not including nuts or seeds, whose calories attributable to fat are not more than 35% of the item's total caloric content;
- (b) food items whose calories attributable to saturated fat content are not more than 10% of the item's total caloric content;
- (c) food items, not including fruits or vegetables, whose sugar content is not more than 35% of the item's total weight;
- (d) fruit-based beverages that are composed of not less than 50% fruit juice and have no added sweeteners;
- (e) drinking water;
- (f) milk, including but not limited to chocolate milk, strawberry milk, soy milk, rice milk, or other similar

1 dairy or nondairy milk; and

2 (g) electrolyte replacement drinks that contain not more than 42 grams of added sweetener for each
3 20-ounce serving.

4 (2) (a) As used in this section, "added sweetener" means any additive that enhances the sweetness
5 of the beverage, including but not limited to added sugar.

6 (b) The term does not include the natural sugar that is contained within a fruit juice that is a component
7 of the beverage.

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9 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
10 integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2, apply to [section 1].

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