

---

---

# 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. In 2013, Hawaii spent an estimated \$470,000,000  
7 on obesity-related medical costs.

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

14           The purpose of this Act is to promote healthy meal options  
15 for children and support parents' efforts to feed their children  
16 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 Part I, to be appropriately  
5 designated 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 sugar, corn syrup, or other natural or  
12 artificial sweeteners;

13 (2) Unflavored nonfat or low-fat (one per cent) dairy milk  
14 or non-dairy beverage that is nutritionally equivalent  
15 to fluid milk in a serving size of eight ounces or  
16 less; or

17 (3) One hundred per cent fruit juice or vegetable juice,  
18 or fruit juice or vegetable juice combined with water  
19 or carbonated water, with no added natural or  
20 artificial sweetener, in a serving size of eight  
21 ounces or less.



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

5        (c) The department of health shall adopt rules pursuant to  
6 chapter 91 to implement this section.

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

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

12        "Default beverage" means a beverage automatically included  
13 or offered as part of a children's meal, absent a specific  
14 request for a substitute or alternate beverage by the purchaser  
15 of the children's meal.

16        "One hundred per cent fruit juice or vegetable juice" means  
17 any liquid consisting of one hundred per cent fruit juice or  
18 vegetable juice with no added sugar, corn syrup, or caloric  
19 sweetener.

20        "Restaurant" means a food establishment that serves food to  
21 customers for consumption on or off the premises, including



1 fast-food and full-service dining establishments. "Restaurant"  
2 includes but is not limited to drive-through or walk-up  
3 counters, coffee shops, cafes, pizza parlors, food stands, movie  
4 theater concession stands, and dine-in establishments. For  
5 purposes of this definition, a restaurant may provide alcoholic  
6 beverage sales for drinking on premises; provided that such  
7 sales are ancillary to food service."

8 SECTION 3. New statutory material is underscored.

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



**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.

(SB549 HD2)

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

