



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 25, 2019

GOV. MSG. NO. 1240

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 25, 2019, the following bill was signed into law:

SB549 SD1 HD2

RELATING TO HEALTHY BEVERAGES FOR
CHILDREN.
ACT 138 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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.

APPROVED this 25 day of JUN, 2019



GOVERNOR OF THE STATE OF HAWAII

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: April 4, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 18, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.



President of the Senate



Clerk of the Senate