AN ACT CONCERNING HEALTHY FOOD AND BEVERAGES IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective July 1, 2006) (a) Except as otherwise provided in subsection (b) of this section, each governing authority of public schools and endowed academies approved pursuant to section 10-34 of the general statutes, shall permit at schools under its jurisdiction the sale of only the following beverages to students from any source, including, but not limited to, school stores, vending machines, school cafeterias, and any fund-raising activities on school premises, whether or not school sponsored: (1) Two per cent fat milk, one per cent fat milk and nonfat milk, that may be flavored but contain no artificial sweeteners and no more than thirty-two grams of sugar per eight ounce serving, or four grams per ounce, (2) nondairy milks such as soy or rice milk, which may be flavored but contain no artificial sweeteners, no more than thirty-two grams of sugar per eight ounce serving, or four grams per ounce, no more than thirty-five per cent of calories from fat per serving and no more than ten per cent of
calories from saturated fat per serving, (3) one hundred per cent fruit
juice, vegetable juice or combination of such juices, containing no
added sugars, sweeteners or artificial sweeteners, (4) beverages that
contain only water and fruit or vegetable juice and have no added
sugars, sweeteners or artificial sweeteners, and (5) water, which may
be flavored but contain no added sugars, sweeteners, artificial
sweeteners or caffeine. Portion sizes of beverages, other than water as
described in subdivision (5) of this subsection, that are offered for sale
pursuant to this subsection shall not exceed twelve ounces.

(b) A governing authority of public schools or endowed academies
approved pursuant to section 10-34 of the general statutes may permit
at schools under its jurisdiction, the sale to students of beverages that
are not listed in subsection (a) of this section, provided (1) such sale is
in connection with a school sponsored event occurring after the end of
the regular school day or on the weekend, (2) such sale is at the
location of such event, and (3) such beverages are not sold from a
vending machine or school store.

Sec. 2. (NEW) (Effective July 1, 2006) Not later than August 1, 2006,
and January first of each year thereafter, the Department of Education
shall publish a set of nutrition standards for food items offered for sale
to students at schools. Such standards shall not apply to food sold as
part of the National School Lunch Program and School Breakfast
Program unless such items are purchased separately from a school
lunch or breakfast that is reimbursable under such programs.

Sec. 3. (NEW) (Effective July 1, 2006) (a) Each governing authority of
public schools and endowed academies approved pursuant to section
10-34 of the general statutes that participates in the National School
Lunch Program shall certify in its annual application to the
Department of Education for school lunch funding whether, during
the school year in which such application is submitted, all food items
made available for sale to students in schools under its jurisdiction and
not exempted from the nutrition standards published by the
Department of Education pursuant to section 2 of this act will meet said standards. Except as otherwise provided in subsection (b) of this section, such certification shall include food not exempted from said nutrition standards and offered for sale to students at all times, and from all sources, including, but not limited to, school stores, vending machines, school cafeterias, and any fundraising activities on school premises, whether or not school sponsored.

(b) A governing authority of public schools or an endowed academy approved pursuant to section 10-34 of the general statutes certifying pursuant to this section compliance with the department's nutrition standards for food may exclude from such certification the sale to students of food items that do not meet such standards, provided (1) such sale is in connection with a school sponsored event occurring after the end of the regular school day or on the weekend, (2) such sale is at the location of such event, and (3) such food is not sold from a vending machine or school store.

Sec. 4. Section 10-215b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2006):

(a) The State Board of Education is authorized to expend in each fiscal year an amount equal to (1) the money required pursuant to the matching requirements of said federal laws and shall disburse the same in accordance with said laws, and (2) ten cents per lunch served in the prior school year in accordance with said laws by any governing authority of public schools or endowed academies approved pursuant to section 10-34 that participate in the National School Lunch Program and certify pursuant to section 3 of this act that the nutrition standards established by the Department of Education pursuant to section 2 of this act shall be met.

(b) The State Board of Education shall prescribe the manner and time of application by [local and regional boards of education] governing authorities of public schools or controlling authority of the
nonpublic schools for such funds, provided such application shall
include the certification that any funds received pursuant to subsection
(a) of this section shall be used for the program approved. The State
Board of Education shall determine the eligibility of the applicant to
receive such grants pursuant to regulations provided in subsection (c)
of this section and shall certify to the Comptroller the amount of the
grant for which the [board of education] governing authority of a
public school or nonpublic school is eligible. Upon receipt of such
certification, the Comptroller shall draw an order on the Treasurer in
the amount, at the time and to the payee so certified.

(c) The State Board of Education may adopt such regulations as may
be necessary in implementing sections 10-215 to 10-215b, inclusive.

(d) The Commissioner of Education shall establish a procedure for
monitoring compliance by governing authorities of public schools and
endowed academies approved pursuant to section 10-34 with
certifications submitted in accordance with section 3 of this act and
may adjust grant amounts pursuant to subdivision (2) of subsection (a)
of this section based on failure to comply with said certification.

Sec. 5. Section 10-215a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2006):

Nonpublic schools and nonprofit agencies may participate in the
school breakfast, lunch and other feeding programs provided in
sections 10-215 to 10-215b under such regulations as may be
promulgated by the State Board of Education in conformance with said
sections and under the federal laws governing said programs, except
that such schools, other than the endowed academies approved
pursuant to section 10-34, and agencies shall not be eligible for the
funding described in subdivision (2) of subsection (a) of section 10-
215b, as amended by this act.

Sec. 6. Section 10-221p of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2006):

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school foods bill 2-06.DOC)
Each [local and regional board of education] governing authority of public schools and endowed academies approved pursuant to section 10-34, shall make available in the schools under its jurisdiction for purchase by students enrolled in such schools nutritious [and] low-fat foods, [and drinks,] which shall include, but shall not be limited to, low-fat milk, one hundred per cent natural fruit juices and water at all times when drink is available for purchase by students in such schools and low-fat dairy products and fresh or dried fruit at all times when food is available for purchase by students in such schools during the regular school day.

This act shall take effect as follows and shall amend the following sections:

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<tr>
<th>Section</th>
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<tbody>
<tr>
<td>Sec. 1</td>
<td>July 1, 2006</td>
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<td>Sec. 4</td>
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<td>Sec. 6</td>
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<td>10-221p</td>
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**Statement of Purpose:**

To limit the distribution of unhealthy beverages and encourage the distribution of healthy foods and beverages to students in schools and to make minor changes to the school lunch program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]