

HOUSE BILL 1095

F1, J1

5lr1005
CF SB 504

By: **Delegates Smith, Carr, Ebersole, Fennell, Lam, Luedtke, Moon, Tarlau, and Walker**

Introduced and read first time: February 13, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Nutrition Standards – Vending Machines and Marketing**

3 FOR the purpose of requiring certain county boards of education to develop and implement
4 a policy that requires that all foods and beverages sold from a vending machine in
5 an area of a public school that is accessible to students at any time during the day
6 comply with certain nutrition standards adopted by the State Board of Education
7 and a certain wellness policy adopted by the local school system; requiring certain
8 county boards of education to develop and implement a policy that requires that all
9 oral, written, and visual marketing on a public school campus for foods and
10 beverages comply with certain nutrition standards adopted by the State Board and
11 a certain wellness policy adopted by the local school system; repealing the
12 requirement that certain vending machines have and use certain timing devices;
13 providing for the application of this Act; and generally relating to nutrition
14 standards for foods and beverages in public schools.

15 BY repealing

16 Article – Education

17 Section 7–423

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2014 Supplement)

20 BY adding to

21 Article – Education

22 Section 7–423 and 7–423.1

23 Annotated Code of Maryland

24 (2014 Replacement Volume and 2014 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

[7-423.

(a) This section only applies to vending machines in public schools that sell food items of minimal nutritional value, as defined by the Department.

(b) By August 1, 2006, vending machines in public schools shall have and use a timing device to automatically prohibit or allow access to vending machines in accordance with the nutrition policies established by the county board.]

7-423.

A COUNTY BOARD SHALL DEVELOP AND IMPLEMENT A POLICY THAT REQUIRES ALL FOODS AND BEVERAGES SOLD FROM A VENDING MACHINE IN AN AREA OF A PUBLIC SCHOOL THAT IS ACCESSIBLE TO STUDENTS AT ANY TIME DURING THE DAY TO COMPLY WITH:

(1) THE MARYLAND NUTRITION STANDARDS FOR ALL FOODS SOLD IN SCHOOLS ADOPTED BY THE STATE BOARD; AND

(2) THE WELLNESS POLICY ADOPTED BY THE LOCAL SCHOOL SYSTEM.

7-423.1.

A COUNTY BOARD SHALL DEVELOP AND IMPLEMENT A POLICY THAT REQUIRES ALL ORAL, WRITTEN, AND VISUAL MARKETING ON A PUBLIC SCHOOL CAMPUS FOR FOODS AND BEVERAGES TO COMPLY WITH:

(1) THE MARYLAND NUTRITION STANDARDS FOR ALL FOODS ADOPTED BY THE STATE BOARD; AND

(2) THE WELLNESS POLICY ADOPTED BY THE LOCAL SCHOOL SYSTEM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any lease, agreement, or contract awarded before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.