

1 WHEREAS, this legislation, signed into law as Act No. 331 of the 2005 Regular
2 Session of the Legislature, enacted R.S. 17:197.1, which provides that, except for beverages
3 sold as part of the school food program, only the following beverages, not to exceed sixteen
4 ounces in size, may be sold to students at public elementary and secondary schools from
5 one-half hour before school to one-half hour after school: fruit juices or drinks composed
6 entirely of fruit juice or vegetable juice that do not contain added natural or artificial
7 sweeteners; unsweetened flavored drinking water or unflavored drinking water; and low-fat
8 milk, skim milk, flavored milk, and nondairy milk; and

9 WHEREAS, as amended by Act No. 306 of the 2009 Regular Session of the
10 Legislature, R.S. 17:197.1 also requires that, except for beverages sold as part of the school
11 food program, the selection of beverages offered for sale to students in public high schools
12 in the last ten minutes of each lunch period be comprised of the following: bottled water;
13 no-calorie or low-calorie beverages that contain up to ten calories per eight ounces; up to
14 twelve ounce servings of beverages that contain one hundred percent fruit juice with no
15 added sweeteners and up to one hundred twenty calories per eight ounces; up to twelve
16 ounce servings of any other beverage that contains no more than sixty-six calories per eight
17 ounces; at least fifty percent of non-milk beverages shall be water and no-calorie or
18 low-calorie options that contain up to ten calories per eight ounces; and low-fat milk, skim
19 milk, and nondairy milk; and

20 WHEREAS, R.S. 17:197.1 provides further that, except for items sold as part of the
21 school food program, the following foods shall not be sold to students at public elementary
22 and secondary schools from one-half hour before school to one-half hour after the end of
23 school and that these foods also shall not comprise more than fifty percent of the items
24 offered for sale to students in public high schools in the last ten minutes of each lunch
25 period: food of "minimal nutritional value" as categorized in federal regulation (7 CFR 220,
26 Appendix B) and snacks or desserts that exceed one hundred fifty calories per serving, have
27 more than thirty-five percent of their calories from fat, or have greater than thirty grams of
28 sugar per serving, except for unsweetened or uncoated seeds or nuts; and

1 WHEREAS, in order to protect and promote public health and well-being, it is in the
2 best interest of this state to ensure full compliance with laws and policies that support the
3 vital public health priority of preventing childhood obesity.

4 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
5 urge and request the State Board of Elementary and Secondary Education (BESE) to submit
6 a written report on or before December 31, 2014, to the House and Senate committees on
7 health and welfare concerning measures taken to implement the provisions of R.S. 17:197.1
8 that limit student access to certain foods and beverages in public schools.

9 BE IT FURTHER RESOLVED that the report shall include but not be limited to the
10 following items:

11 (1) The schedule on which BESE monitors schools for compliance with the
12 provisions of R.S. 17:197.1.

13 (2) Any actions that BESE undertakes when a school is found not to be in
14 compliance with the provisions of R.S. 17:197.1.

15 BE IT FURTHER RESOLVED that BESE shall present such report to the House and
16 Senate committees on health and welfare, meeting jointly or independently, prior to the final
17 adjournment of the 2015 Regular Session of the Legislature of Louisiana.

18 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted
19 to the president of the State Board of Elementary and Secondary Education.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Katrina Jackson

HCR No. 148

Requests that the State Board of Elementary and Secondary Education (BESE) submit a written report to the legislative committees on health and welfare on or before Dec. 31, 2014, on measures taken to implement provisions of present law (R.S. 17:197.1) limiting student access to certain foods and beverages in public schools and present the report to these committees, meeting jointly or independently, prior to final adjournment of the 2015 R.S.