

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 148

BY REPRESENTATIVE KATRINA JACKSON

BESE: Requests that the State Board of Elementary and Secondary Education report to the legislative health and welfare committees on the implementation of laws limiting student access to certain foods and beverages in public schools

## 1 A CONCURRENT RESOLUTION

2 To urge and request the State Board of Elementary and Secondary Education to report to the  
3 legislative committees on health and welfare concerning measures taken to  
4 implement the provisions of R.S. 17:197.1 that limit student access to certain foods  
5 and beverages in public schools.

6 WHEREAS, according to a 2011 report published by the Robert Wood Johnson  
7 Foundation, Louisiana has the fourth-highest rate of childhood obesity in the United States;  
8 and

9           WHEREAS, being overweight or obese dramatically increases a child's susceptibility  
10   later in life to cardiovascular disease, type 2 diabetes, stroke, sleep apnea, hypertension,  
11   certain forms of cancer, osteoarthritis, and other serious health problems; and

12 WHEREAS, childhood obesity in this state is a vital public health concern that  
13 requires careful attention and prevention in order to safeguard the health, productivity, and  
14 well-being of future generations of Louisianians; and

15 WHEREAS, the passage of Senate Bill No. 146 of the 2005 Regular Session of the  
16 Legislature affirmed prevention of childhood obesity as a public health priority; among  
17 findings presented in this bill is one acknowledging that healthier food choices available at  
18 schools can promote healthier eating habits and reduce obesity and future health problems;  
19 and

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.

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#### 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)]

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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.