

**Senator Patricia W. Jones** proposes the following substitute bill:

**VENDING MACHINES IN PUBLIC SCHOOLS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Patricia W. Jones**

House Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill establishes standards for the contents of vending machines in public schools.

**Highlighted Provisions:**

This bill:

- ▶ provides a list of allowed beverages and non-beverage items that may be sold in vending machines at public schools; and
- ▶ establishes compliance dates.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-1a-110**, Utah Code Annotated 1953

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-1a-110** is enacted to read:

**53A-1a-110.** Vending machine contents.



(1) For an elementary school, the beverage contents of a vending machine accessible to elementary students shall be limited to the following beverages:

(a) bottled water; or

(b) no more than an eight ounce serving of:

(i) fat-free or low-fat regular or flavored milk, containing no more than 150 calories per eight ounces;

(ii) a nutritionally equivalent milk alternative, as defined by the United States Department of Agriculture in 7 C.F.R. Sec. 246.10, containing no more than 150 calories per eight ounces; or

(iii) 100% juice containing:

(A) no added sweeteners;

(B) no more than 120 calories per eight ounces; and

(C) at least 10% of the recommended daily value for three or more vitamins and minerals.

(2) For a secondary school, the beverage contents of a vending machine accessible to secondary students shall be limited to the following beverages:

(a) bottled water;

(b) a beverage containing no calories;

(c) a beverage containing no more than 10 calories per eight ounces; or

(d) no more than a 12 ounce serving of:

(i) fat-free or low-fat regular or flavored milk containing no more than 150 calories per eight ounces;

(ii) a nutritionally equivalent milk alternative, as defined by the United States Department of Agriculture in 7 C.F.R. Sec. 246.10, containing no more than 150 calories per eight ounces;

(iii) 100% juice containing:

(A) no added sweeteners;

(B) no more than 120 calories per eight ounces; and

(C) at least 10% of the recommended daily value for three or more vitamins and minerals; or

(iv) any other drink containing no more than 66 calories per eight ounces.

(3) For a vending machine accessible to secondary students, at least 50% of non-milk beverages shall be:

(a) water;

(b) no-calorie; or

(c) low-calorie containing no more than 66 calories per eight ounces.

(4) The non-beverage contents of a vending machine accessible to students in a public school shall include only a non-beverage item that contains:

(a) no more than:

(i) 150 total calories in the entire item for an item available in a vending machine accessible to an elementary school student;

(ii) 180 total calories in the entire item for an item available in a vending machine accessible to middle school student; and

(iii) 200 total calories in the entire item for an item available in a vending machine accessible to a high school student;

(b) no more than 35% of calories from total fat;

(c) no more than 10% of calories from saturated fat;

(d) zero grams of trans fat; and

(e) except for 100% dried fruit with no added sugar, no more than 35% sugar by weight.

(5) Subsections (4)(b) and (c) do not apply to the following non-beverage items:

(a) nuts;

(b) nut butters;

(c) seeds; or

(d) trail mix with no added sugar, containing only fruit, nuts, or seeds.

(6) A person that sells, or contracts with a local school board, charter school governing board, or school, to sell a product in a public school vending machine accessible to students shall comply with the vending machine requirements in this section on or before the later of the following:

(a) the natural expiration or earlier termination of a contract in force on May 11, 2010, between the local school board, charter school governing board, or school and a vending machine supplier; or

88

(b) May 11, 2010.

---

---

**S.B. 49 4th Sub. (Pumpkin) - Vending Machines in Public Schools**

**Fiscal Note**

2010 General Session

State of Utah

---

---

**State Impact**

Enactment of this bill will not require additional appropriations.

---

**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

---