**South Carolina General Assembly**

121st Session, 2015-2016

**A258, R220, S484**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Shealy, Jackson, Cleary and Rankin

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Introduced in the Senate on February 25, 2015

Introduced in the House on May 26, 2015

Last Amended on May 19, 2015

Passed by the General Assembly on June 1, 2016

Governor's Action: June 5, 2016, Signed

Summary: Elementary school food service meals requirements

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/25/2015 Senate Introduced and read first time ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C02-25-15.docx))

 2/25/2015 Senate Referred to Committee on **Education** ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C02-25-15.docx))

 5/14/2015 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 14](file:///h%3A%5CSJ%20Archive%5C2015%5C05-14-15.docx))

 5/15/2015 Scrivener's error corrected

 5/19/2015 Senate Committee Amendment Adopted ([Senate Journal‑page 21](file:///h%3A%5CSJ%20Archive%5C2015%5C05-19-15.docx))

 5/21/2015 Senate Read second time ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2015%5C05-21-15.docx))

 5/21/2015 Senate Roll call Ayes‑39 Nays‑3 ([Senate Journal‑page 18](file:///h%3A%5CSJ%20Archive%5C2015%5C05-21-15.docx))

 5/26/2015 Senate Read third time and sent to House ([Senate Journal‑page 9](file:///h%3A%5CSJ%20Archive%5C2015%5C05-26-15.docx))

 5/26/2015 House Introduced and read first time ([House Journal‑page 75](file:///h%3A%5CHJ%20Archive%5C2015%5C05-26-15.docx))

 5/26/2015 House Referred to Committee on **Education and Public Works** ([House Journal‑page 75](file:///h%3A%5CHJ%20Archive%5C2015%5C05-26-15.docx))

 5/19/2016 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 6](file:///h%3A%5CHJ%20Archive%5C2016%5C05-19-16.docx))

 5/25/2016 House Requests for debate‑Rep(s). Hayes, Hills, White, Anthony, Felder, Norman, Clary, Hamilton, Hart, McEachern ([House Journal‑page 25](file:///h%3A%5CHJ%20Archive%5C2016%5C05-25-16.docx))

 5/31/2016 House Read second time ([House Journal‑page 32](file:///h%3A%5CHJ%20Archive%5C2016%5C05-31-16.docx))

 5/31/2016 House Roll call Yeas‑76 Nays‑29 ([House Journal‑page 37](file:///h%3A%5CHJ%20Archive%5C2016%5C05-31-16.docx))

 6/1/2016 House Read third time and enrolled ([House Journal‑page 97](file:///h%3A%5CHJ%20Archive%5C2016%5C06-01-16.docx))

 6/2/2016 Ratified R 220

 6/5/2016 Signed By Governor

 6/15/2016 Effective date 06/05/16

 6/16/2016 Act No. 258

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=484&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/25/2015](file:///p%3A%5Cpprever%5C2015-16%5C484_20150225.docx)

[5/14/2015](file:///p%3A%5Cpprever%5C2015-16%5C484_20150514.docx)

[5/15/2015](file:///p%3A%5Cpprever%5C2015-16%5C484_20150515.docx)

[5/19/2015](file:///p%3A%5Cpprever%5C2015-16%5C484_20150519.docx)

[5/19/2016](file:///p%3A%5Cpprever%5C2015-16%5C484_20160519.docx)

(A258, R220, S484)

**AN ACT** **TO AMEND SECTION 59‑10‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOOD REQUIREMENTS, SO AS TO PROVIDE SCHOOL SERVICE MEALS AND COMPETITIVE FOODS PROVIDED IN KINDERGARTEN THROUGH TWELFTH GRADE DURING THE ACADEMIC SCHOOL YEAR MUST MEET AND MAY EXCEED NUTRITIONAL REQUIREMENTS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE, TO PROVIDE SCHOOL DISTRICTS MAY ADOPT MORE RESTRICTIVE POLICIES, TO PROVIDE THESE MORE RESTRICTIVE POLICIES MAY NOT RESTRICT THE FOOD PARENTS OR GUARDIANS PROVIDE FOR STUDENT CONSUMPTION AT SCHOOL, TO EXEMPT SCHOOL FUNDRAISERS FROM THESE REQUIREMENTS, AND TO CLARIFY THAT THIS SECTION DOES NOT RESTRICT OR PROHIBIT THE STATE DEPARTMENT OF EDUCATION FROM ESTABLISHING POLICIES REGARDING SCHOOL FUNDRAISERS AUTHORIZED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; AND TO AMEND SECTION 59‑10‑330, RELATING TO THE COORDINATED SCHOOL HEALTH ADVISORY COUNCIL AND THE DEVELOPMENT OF HEALTH WELLNESS PLANS, SO AS TO PROVIDE SCHOOL HEALTH IMPROVEMENT PLANS MUST REPORT COMPLIANCE WITH THE REQUIREMENTS OF SECTION 59‑10‑310.**

Be it enacted by the General Assembly of the State of South Carolina:

**USDA nutrition requirements applied through twelfth grade, district policies, exemptions**

SECTION 1. Section 59‑10‑310 of the 1976 Code, as added by Act 102 of 2005, is amended to read:

 “Section 59‑10‑310. (A) In an effort to promote optimal healthy eating patterns and academic success, the State Board of Education by policy shall establish requirements for all school food service meals and competitive foods provided in kindergarten through twelfth grade during the academic school year, which must meet or may exceed, the nutritional requirements established by the United States Department of Agriculture Food and Nutrition Service. The nutritional requirements must be continuously updated to reflect the current United States Department of Agriculture Food and Nutrition Service standards. A school district board of trustees may adopt a more restrictive policy. This policy does not restrict the food that a parent or guardian may provide for student consumption at school.

 (B) School fundraisers must be exempted from the requirements in this section; however, nothing in this section shall restrict or prohibit the department from establishing policy with regard to school fundraisers, as authorized by the United States Department of Agriculture.”

**School health improvement plan compliance reporting**

SECTION 2. Section 59‑10‑330(B) of the 1976 Code, as added by Act 102 of 2005, is amended to read:

 “(B) Each district, in collaboration with the CSHAC, shall develop a school health improvement plan that addresses strategies for improving student nutrition, health, and physical activity and includes the district’s wellness policy. The school health improvement plan must report compliance with the requirements contained in Section 59‑10‑310. The district health improvement plan goals and progress toward those goals must be included in the district’s strategic plan required pursuant to Section 59‑20‑60.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

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