**A** **BILL**

TO AMEND ARTICLE 3, CHAPTER 10, TITLE 59 OF THE 1976 CODE, RELATING TO NUTRITION STANDARDS, BY ADDING SECTION 59‑10‑310, TO DEFINE “IN-SCHOOL FUNDRAISER”, TO AMEND SECTION 59‑10‑310, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOODS REQUIREMENTS, TO REQUIRE COMPLIANCE WITH FEDERAL STANDARDS AND TO PROVIDE FOR EXCEPTIONS TO THOSE STANDARDS, TO AMEND SECTION 59‑10‑330(B), RELATING TO SCHOOL HEALTH IMPROVEMENT PLANS, TO REQUIRE THAT THE PLANS COMPLY WITH REQUIREMENTS CONTAINED IN SECTION 59‑10‑310.

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

SECTION 1. Article 3, Chapter 10, Title 59 of the 1976 Code is amended by adding:

“Section 59‑10‑300. For the purposes of this article, ‘in‑school fundraiser’ means any fundraiser that occurs on the school campus during the school day.”

SECTION 2. Section 59‑10‑310 of the 1976 Code is amended to read:

“Section 59‑10‑310. (A) In an effort to promote optimal healthy eating patterns, the State Board of Education by policy shall establish requirements for ~~elementary school food service meals and competitive foods based upon the recommendations outlined in the State Department of Education Task Force on Student Nutrition and Physical Activity Report, National School Lunch Act, and the most recent applicable Dietary Guidelines for Americans~~ school service meals and competitive foods in kindergarten through twelfth grade during the academic school year, including summer school, in compliance with Nutrition Standards for All Foods Sold in Schools, established by the United States Department of Agriculture Food and Nutrition Service, and shall continuously update these state requirements to reflect updates in United States Department of Agriculture standards. A school district board of trustees may adopt a more restrictive policy. However, this policy does not restrict the food a parent or guardian may provide for consumption at school.

(B) The standards required pursuant to this section shall apply to:

(1) the regular school week, Monday through Friday;

(2) in‑school fundraisers where food sold is intended for on‑campus consumption; and

(3) school‑sponsored after‑school activities, except where a significant portion of attendees are adults or the activity is held after six o’clock in the evening.”

SECTION 3. Section 59‑10‑330(B) of the 1976 Code 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 also report on 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.”

SECTION 4. This act takes effect upon approval by the Governor.

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