

**SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION**

**S.F. No. 1363**

(SENATE AUTHORS: UTKE)

DATE  
02/25/2021

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Health and Human Services Finance and Policy

1.1 A bill for an act  
1.2 relating to health; establishing requirements for healthy children's meals at  
1.3 restaurants to be implemented on a phased-in basis; providing for enforcement;  
1.4 amending Minnesota Statutes 2020, section 144.99, subdivision 1; proposing  
1.5 coding for new law in Minnesota Statutes, chapter 325F.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 144.99, subdivision 1, is amended to read:

1.8 Subdivision 1. **Remedies available.** The provisions of chapters 103I and 157 and sections  
1.9 115.71 to 115.77; 144.12, subdivision 1, paragraphs (1), (2), (5), (6), (10), (12), (13), (14),  
1.10 and (15); 144.1201 to 144.1204; 144.121; 144.1215; 144.1222; 144.35; 144.381 to 144.385;  
1.11 144.411 to 144.417; 144.495; 144.71 to 144.74; 144.9501 to 144.9512; 144.97 to 144.98;  
1.12 144.992; 152.22 to 152.37; 325F.179; 326.70 to 326.785; 327.10 to 327.131; and 327.14  
1.13 to 327.28 and all rules, orders, stipulation agreements, settlements, compliance agreements,  
1.14 licenses, registrations, certificates, and permits adopted or issued by the department or under  
1.15 any other law now in force or later enacted for the preservation of public health may, in  
1.16 addition to provisions in other statutes, be enforced under this section.

1.17 **EFFECTIVE DATE.** This section is effective August 1, 2025.

1.18 Sec. 2. **[325F.179] HEALTHY CHILDREN'S MEALS AND BEVERAGES.**

1.19 Subdivision 1. **Purpose.** The purpose of this section is to ensure that restaurants serving  
1.20 children's meals make a healthy meal and beverage readily available to children, thereby  
1.21 promoting public health efforts to reduce rising rates of chronic disease and obesity, eliminate  
1.22 disproportionate impacts of chronic disease and obesity affecting children, foster healthy

2.1 environments, and promote healthy lifestyles where children live, grow, learn, work, and  
2.2 play.

2.3 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

2.4 (b) "Child-friendly restaurant" means any restaurant offering a children's meal.

2.5 (c) "Children's meal" means a combination of food items and a beverage, or a single  
2.6 food item and a beverage, that are:

2.7 (1) prepared by and offered for sale at a child-friendly restaurant;

2.8 (2) sold together at a single price; and

2.9 (3) represented to be or otherwise primarily intended for consumption by children.

2.10 (d) "Commissioner" means the commissioner of health.

2.11 (e) "Default beverage" means the beverage automatically included or offered as part of  
2.12 a healthy children's meal absent a specific request by the purchaser of the children's meal  
2.13 for an alternative beverage.

2.14 (f) "Default side" means the side dish option available as part of a healthy children's  
2.15 meal.

2.16 (g) "Healthy children's meal" means a children's meal:

2.17 (1) that contains not more than 600 calories, 770 milligrams of sodium, ten percent of  
2.18 calories from saturated fat, 35 percent of calories from total sugars, 35 percent of calories  
2.19 from fat, and 0.5 grams of trans fat;

2.20 (2) that includes servings selected from at least two of the following five food groups  
2.21 in the amounts specified, provided at least one of the two selections from these five food  
2.22 groups must be a nonfried fruit or a vegetable, excluding white potatoes, juices, condiments,  
2.23 or spreads:

2.24 (i) one-half cup or more of a fruit, provided that 100 percent juice must not be used as  
2.25 a fruit under this item;

2.26 (ii) one-half cup or more of a vegetable;

2.27 (iii) one cup or more of a nonfat or low-fat dairy product;

2.28 (iv) one ounce or more of a lean meat or lean protein substitute, including beef, pork,  
2.29 skinless white meat poultry, fish, seafood, eggs, legumes, tofu or other soy products, nuts,  
2.30 or seeds; or

3.1 (v) one-half serving of a whole grain-rich food item that provides eight grams or more  
3.2 of whole grains and that satisfies at least one of the following:

3.3 (A) the first ingredient of the food item is a whole grain;

3.4 (B) the food item consists of at least 50 percent whole grains by weight of the food item;

3.5 or

3.6 (C) the food item consists of at least 50 percent whole grains by weight of the grains;

3.7 and

3.8 (3) that, when a default beverage is included, provides one of the following as a default  
3.9 beverage:

3.10 (i) water, sparkling water, or flavored water with no added natural or artificial sweeteners;

3.11 or

3.12 (ii) unflavored or a nondairy milk alternative that contains no more than 130 calories  
3.13 per container or serving as offered for sale and with no added natural or artificial sweeteners.

3.14 (h) "Restaurant" has the meaning given in section 157.15, subdivision 12.

3.15 Subd. 3. **Phased-in implementation of healthy children's meals.** (a) Each child-friendly  
3.16 restaurant shall offer and sell children's meals that satisfy the requirements for healthy  
3.17 children's meals in this section in accordance with the multiyear, phased-in implementation  
3.18 specified in this subdivision.

3.19 (b) On or before August 1, 2022, each child-friendly restaurant shall offer and sell, in  
3.20 any children's meal that includes a beverage, a default beverage that meets the requirements  
3.21 in subdivision 2, paragraph (g), clause (3).

3.22 (c) On or before August 1, 2024, each child-friendly restaurant shall offer and sell, in  
3.23 any children's meal that includes a side, a default side that meets the requirements in  
3.24 subdivision 2, paragraph (g), clause (2), items (i) to (v).

3.25 (d) On or before August 1, 2025, each child-friendly restaurant shall offer and sell at  
3.26 least one children's meal that meets all of the requirements for a healthy children's meal in  
3.27 subdivision 2, paragraph (g).

3.28 Subd. 4. **Alternative beverage.** This section does not prohibit a restaurant from selling  
3.29 or a customer from separately purchasing an alternative beverage instead of the default  
3.30 beverage offered as part of a healthy children's meal at the request of the purchaser of the  
3.31 healthy children's meal.

4.1 Subd. 5. **Enforcement.** The commissioner shall enforce this section using the tools and  
4.2 authority in sections 144.989 to 144.993. The commissioner or a local unit of government  
4.3 may establish a schedule of monetary penalties for violations of this section and may impose  
4.4 monetary penalties that increase in size based on the number of recurring violations.

4.5 Subd. 6. **Training and education.** By November 1, 2021, the commissioner shall prepare  
4.6 and disseminate to restaurants educational materials and information on the requirements  
4.7 of this section, steps restaurants must take to comply with this section, signage, and training  
4.8 for restaurant workers. The commissioner shall periodically update the educational materials  
4.9 and information, requirements for compliance, signage, and training to conform with the  
4.10 phased-in implementation of this section.

4.11 Subd. 7. **Evaluation.** On an ongoing basis, the commissioner shall evaluate the extent  
4.12 to which this section results in improved health for children and adults, including reduced  
4.13 rates of obesity and chronic disease affecting children and adults and reduced health  
4.14 disparities experienced by children and adults from communities of color and American  
4.15 Indian children.

4.16 **EFFECTIVE DATE.** This section is effective August 1, 2021, except that subdivision  
4.17 5 is effective August 1, 2025.