

SENATE BILL No. 279

February 19, 2009, Introduced by Senator SWITALSKI and referred to the Committee on Education.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
(MCL 388.1601 to 388.1772) by adding section 164f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 164F. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2),**
2 **A DISTRICT OR INTERMEDIATE DISTRICT SHALL NOT DO ANY OF THE**
3 **FOLLOWING:**

4 **(A) SELL, OFFER FOR SALE, OR OTHERWISE OFFER OR PROVIDE SOFT**
5 **DRINKS TO PUPILS AT SCHOOL AT ANY TIME.**

6 **(B) MAINTAIN, OR ALLOW TO BE MAINTAINED, A VENDING MACHINE**
7 **THAT IS LOCATED AT A SCHOOL OR ON SCHOOL GROUNDS, THAT SELLS SOFT**
8 **DRINKS, AND THAT IS ACCESSIBLE TO PUPILS.**

9 **(2) THIS SECTION DOES NOT PROHIBIT ANY OF THE FOLLOWING:**

1 (A) SELLING, OFFERING FOR SALE, OR OTHERWISE OFFERING OR
2 PROVIDING SOFT DRINKS TO PUPILS AFTER REGULAR SCHOOL HOURS AT A
3 HIGH SCHOOL OR AT A HIGH SCHOOL ACTIVITY OR EVENT.

4 (B) MAINTAINING OR ALLOWING TO BE MAINTAINED A VENDING MACHINE
5 DESCRIBED IN SUBSECTION (1) (B) IF IT IS LOCATED AT A HIGH SCHOOL OR
6 ON THE GROUNDS OF A HIGH SCHOOL AND IS EITHER NOT ACCESSIBLE TO
7 PUPILS DURING THE REGULAR SCHOOL DAY OR NOT OPERABLE DURING THE
8 REGULAR SCHOOL DAY.

9 (C) SELLING, OFFERING FOR SALE, OR OTHERWISE OFFERING OR
10 PROVIDING SOFT DRINKS TO PUPILS AT A SCHOOL AFTER SCHOOL HOURS AT
11 AN ACTIVITY OR EVENT AT WHICH PARENTS ARE PRESENT.

12 (3) A DISTRICT OR INTERMEDIATE DISTRICT THAT VIOLATES THIS
13 SECTION FORFEITS AN AMOUNT EQUAL TO 5% OF ITS TOTAL STATE SCHOOL
14 AID ALLOCATION UNDER THIS ACT FOR THE FISCAL YEAR IN WHICH THE
15 VIOLATION OCCURS.

16 (4) AS USED IN THIS SECTION, "SOFT DRINK" DOES NOT INCLUDE
17 MILK, WATER, OR A JUICE DRINK THAT IS 100% JUICE.