

Committee on Public Health
Bill Summary

Bill No. H2468/S1571
Title: *An Act for healthy kids, healthy futures*
Sponsor: Representative Meghan Kilcoyne/Senator Jason Lewis
Committee: Public Health
Hearing Date: July 14, 2025
Similar Matters: S1571
Prior History: New file
Reporting Deadline: September 12, 2025

Current Law:

- **M.G.L. Chapter 71** pertains to public schools.
- **M.G.L. Chapter 71 § 1** pertains to the maintenance of public schools.
- **M.G.L. Chapter 94** pertains to the inspection and sale of food, drugs and various articles.
- **M.G.L. Chapter 111** pertains to public health.

Summary:

This bill requires chain restaurants to meet specific nutritional requirements in children's meals served and to designate standard menu items that may exceed the daily value for added sugars with an icon and accompanying text to be displayed next to the name of the item. This bill also requires DESE to encourage school districts to implement instruction in media literacy skills from 3rd grade to 12th grade, including instruction on analyzing and evaluating food advertising content. Additionally, this legislation requires the department of education to prohibit the advertisement of non-compliant beverages.

SECTION 1 amends M.G.L. Chapter 71 by adding a new section, Section 99:

Subsection (a) lists the definitions applicable to the section.

Subsection (b) requires the department of education to prohibit advertisements of any non-compliant beverage or brand on school district-owned properties or facilities, participation in an incentive program that rewards children with free or discounted non-compliant beverages when they reach certain academic goals, and participation in an incentive program that provides funds to schools in exchange for consumer purchases of non-compliant beverages.

Subsection (c) lists exceptions to the prohibition, including:

- Advertising on broadcast, digital, or print media, unless the media are produced or controlled by the local education agency, school, faculty, or its students
- Advertising on clothing with brand images worn on school grounds

- Advertising contained on product packaging
- Advertising at infrequent events held outside of normal school hours for the primary purpose of fundraising.

SECTION 2 amends M.G.L. Chapter 94 by adding a new section, Section 330:

Subsection (a) lists the definitions applicable to the section.

Subsections (b) - (c) require DPH to promulgate regulations designating an icon and accompanying text to be displayed next to the name of any standard menu item that may exceed the daily value for added sugars. Chain restaurants may display a dynamic added sugars icon and statement for menus, allowing customization through interactivity, but such icons must be prominent and conspicuous when a consumer makes a choice that would cause the added sugars content of a standard menu item to exceed the daily value.

Subsection (d) imposes a \$250 fine per day for each chain restaurant that fails to comply with the provisions of this section.

Subsection (e) requires DPH to publish guidance explaining the added sugars warning icon requirement and how to comply.

Subsection (f) institutes a 90-day reporting requirement for chain menu developers.

SECTION 3 amends M.G.L. Chapter 71 Section 1 by requiring DESE to encourage school districts to implement instruction in media literacy skills from 3rd grade to 12th grade, including instruction on analyzing and evaluating food/beverages/drugs/alcohol advertising content.

SECTION 4 amends M.G.L. Chapter 111 by adding a new section, Section 244:

Subsection (a) lists the definitions applicable to the section.

Subsections (b) - (c) prohibit chain restaurants from selling children's meals unless at least two children's meals or 25% of the children's meals on the menu contain no more than the listed amounts of calories, sodium, sugars, saturated fat, trans fat, fruits and vegetables. These sections also outline the required levels of meat or meat alternatives to be offered in children's meals.

Subsection (d) prohibits a chain restaurant from offering a children's meal with a beverage unless the beverage meets the listed requirements for sweeteners.

Subsection (e) clarifies that a chain restaurant may sell, and a customer may purchase, a children's meal that does not meet the above nutritional information.

Subsections (f) - (g) require DPH and local boards of health acting under DPH to implement, administer, and enforce this statute. DPH may issue rules and regulations to carry out this legislation. DPH must send copies of this statute to all chain restaurants, along with written information resources, within 30 days of the effective date of this act.

Subsection (h) requires DPH to develop an annual report form and send such form to all chain restaurants within 9 months of the effective date of this act.

Subsection (i) requires DPH to create a written informational resource in English and Spanish summarizing the requirements of this statute.

Subsection (j) requires all chain restaurants to annually report whether they serve children's meals to DPH. If so, those restaurants must also report that they understand their obligations under this section.

Subsection (k) institutes a civil penalty of no more than \$250 per day for every 6 months a restaurant violates this section.

SECTION 5 sets effective dates relative to Sections 1-4 of this act and the severability provision.