

FIRST REGULAR SESSION

# HOUSE BILL NO. 202

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES PORTWOOD, HUNTER, WHORTON, MOORE,  
MERIDETH (Co-sponsors), WALKER, SMITH (14) AND COOPER (120).

Read 1<sup>st</sup> time January 16, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0595L.011

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### AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to the Missouri calcium initiative, with an emergency clause.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be  
2 known as section 34.375, to read as follows:

**34.375. 1. This section shall be known and may be cited as the "Missouri Calcium  
2 Initiative".**

**3 2. The purchasing agent for any governmental entity that purchases food or  
4 beverages to be processed or served in a building or room owned or operated by such  
5 governmental entity shall give preference to foods and beverages that:**

**6 (1) Contain a higher level of calcium than products of the same type and quality;  
7 and**

**8 (2) Are equal to or lower in price than products of the same type and quality.**

**9 3. Notwithstanding the provisions of subsection 2 of this section to the contrary, if  
10 a state institution determines that a high calcium food or beverage that is preferred  
11 pursuant to subsection 2 of this section will interfere with the proper treatment and care  
12 of a patient of such institution, the purchasing agent shall not be required to purchase the  
13 high calcium food or beverage for such patient.**

**14 4. The requirements of this section shall be in addition to any requirements placed  
15 upon a governmental entity by the United States Department of Agriculture under the  
16 National School Lunch Program or the School Breakfast Program.**

**17 5. For purposes of this section, "governmental entity" means the state of Missouri,  
18 its departments, agencies, boards, commissions and institutions, and all school districts of**

19 **the state. Governmental entity does not include political subdivisions of the state.**

20 **6. Notwithstanding the provisions of this section to the contrary, a purchasing agent**  
21 **who has entered into a contract with a supplier before July 1, 2003, to purchase food and**  
22 **beverages shall not be required to purchase high calcium foods and beverages if**  
23 **purchasing such products would change the terms of the contract.**

Section B. Because immediate action is necessary to maximize the nutritional quality  
2 of food and beverages served by governmental entities section A of this act is deemed necessary  
3 for the immediate preservation of the public health, welfare, peace and safety, and is hereby  
4 declared to be an emergency act within the meaning of the constitution, and section A of this act  
5 shall be in full force and effect July 1, 2003, or upon its passage and approval, whichever later  
6 occurs.