

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 1287\*

Short Title: Improve Child Care Nutrition/Activity Stnds. (Public)

Sponsors: Senators Purcell, Dannelly, Preston, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jacumin, Jones, Kinnaird, and Snow.

Referred to: Health Care.

May 20, 2010

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE CHILD CARE COMMISSION, IN CONSULTATION WITH  
3 THE DIVISION OF CHILD DEVELOPMENT OF THE DEPARTMENT OF HEALTH  
4 AND HUMAN SERVICES, TO DEVELOP IMPROVED NUTRITION STANDARDS  
5 FOR CHILD CARE FACILITIES, AND TO DIRECT THE DIVISION OF CHILD  
6 DEVELOPMENT TO STUDY AND RECOMMEND GUIDELINES FOR INCREASED  
7 LEVELS OF PHYSICAL ACTIVITY IN CHILD CARE FACILITIES, AS  
8 RECOMMENDED BY THE LEGISLATIVE TASK FORCE ON CHILDHOOD  
9 OBESITY.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 110-91(2) reads as rewritten:

12 "(2) Health-Related Activities. – The Commission shall adopt rules for child care  
13 facilities to ensure that all children receive nutritious food and beverages  
14 according to their developmental needs. ~~After consultation with the State~~  
15 ~~Health Director,~~ The Commission shall consult with the Division of Child  
16 Development of the Department of Health and Human Services to develop  
17 nutrition standards shall to provide for requirements appropriate for children  
18 of different ages. The nutrition standards shall include all of the following:

- 19 a. A prohibition against serving sugar sweetened beverages to children  
20 of any age.  
21 b. A requirement to serve reduced fat milk to children older than two  
22 years of age.  
23 c. A prohibition against serving more than four to six ounces of juice  
24 per day to children over one year of age.

25 Each child care facility shall have a rest period for each child in care  
26 after lunch or at some other appropriate time and arrange for each child in  
27 care to be out-of-doors each day if weather conditions permit."

28 **SECTION 2.** The Department of Health and Human Services, Division of Child  
29 Development, shall examine the current levels of physical activity children receive in child care  
30 facilities and review model physical activity guidelines. Not later than September 1, 2011, the  
31 Division shall report its findings and recommendations for increasing physical activity levels in  
32 child care facilities, with a goal of reaching model guidelines, to the Legislative Task Force on  
33 Childhood Obesity if reestablished for the 2011-2012 Session, to the Public Health Committee,  
34 and to the Fiscal Research Division.

35 **SECTION 3.** This act is effective when it becomes law.

