

By Senator Margolis

35-358A-04

1 A bill to be entitled
2 An act relating to nutrition education in
3 public schools; creating the Nutrition
4 Education Trust Fund within the Department of
5 Education; requiring that the moneys in the
6 trust fund be used to advance public school
7 students' knowledge of nutrition; providing for
8 sources of funds; requiring the Department of
9 Education to adopt rules for distributing
10 moneys in the trust fund; providing for review
11 and termination or re-creation of the trust
12 fund; providing a contingent effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. The Nutrition Education Trust Fund.--
17 (1) The Nutrition Education Trust Fund is created
18 within the Department of Education for the purpose of funding
19 nutrition education in the public schools of this state. Funds
20 credited to the trust fund shall consist of:

21 (a) Fines collected from vendors that stock items in
22 vending machines in violation of the requirements of Senate
23 Bill _____, the Childhood Obesity Prevention Act.

24 (b) Fines collected by the Department of Agriculture
25 and Consumer Services for violations of section 501.0583,
26 Florida Statutes, relating to the offense of furnishing
27 weight-loss pills to minors.

28 (c) Fines levied against any manufacturer, processor,
29 packer, or distributor that misrepresents nutritional
30 information on food labels in violation of section
31 500.121(2)(b), Florida Statutes.

1 (d) Monetary donations from other sources, including,
2 but not limited to, appropriations from the state and
3 donations from corporations under section 220.1885, Florida
4 Statutes.

5 (2) The Department of Education shall establish by
6 rule criteria for distributing moneys from the trust fund to
7 school districts.

8 (3) In accordance with Section 19(f)(2) of Article III
9 of the State Constitution, the Nutrition Education Trust Fund
10 shall be terminated on July 1, 2008, unless terminated sooner.
11 Before its scheduled termination, the trust fund shall be
12 reviewed as provided in section 215.3206(1) and (2), Florida
13 Statutes.

14 Section 2. This act shall take effect July 1, 2004, if
15 SB ____, the Childhood Obesity Prevention Act, and SB ____,
16 relating to a tax credit for contributions to the Nutrition
17 Education Trust Fund, are adopted in the same legislative
18 session or an extension thereof and become law.

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21 SENATE SUMMARY

22 Creates the Nutrition Education Trust Fund within the
23 Department of Education. Requires that moneys in the
24 trust fund be used to advance public school students'
25 knowledge of proper dietary nutrition.