

State and Local Restaurant Kids' Meal Policies

Jurisdiction	Legislation, Date Enacted, Vote	Date Effective	Type of Policy	Policy Summary	Enforcement Mechanism
Delaware	HB 79 7/17/2109 House: 28-11 Senate: 15-6	7/17/2020 (or upon promulgation of regulations, whichever is the later date)	Default Beverage	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternative up to 8 oz., 100% juice or fruit juice combined with water or sparkling water, with no added sweetener up to 8 oz.	Administered by Department of Health. No fines, fees or other monetary penalties for violations aside from cost for reassessment to ensure compliance.
	SB 549 6/28/2019 House: 47-0 (2 absent) Senate: 24-1	1/1/2020	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, unflavored nonfat or 1% dairy milk or non-dairy milk alternative up to 8 oz., 100% juice, may be combined with water or sparkling water with no added sweetener up to 8 oz.	The State Department of Health will draft administrative rules governing enforcement of the law.
New York, NY	Ordinance 1064-B 3/28/2019 City Council: 43-4 (3 absent)	5/1/2020 (lapsed into effect after 30 days of City Council vote)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, flavored or unflavored nonfat or 1% dairy milk or non-dairy milk alternative up to 8 oz., 100% juice with no added sweeteners up to 8 oz.	Administered by Department of Health and Mental Hygiene. Any food service establishment that violates any of the provisions of this shall be liable for a civil penalty not to exceed \$200.
Wilmington, DE	Ordinance 18-046 10/4/2018 City Council: 10-0 (3 absent)	1/8/2019 (90 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternative, up to 8 oz. of 100% fruit juice or fruit juice combined with water or sparkling water, with no added sweetener	Administered by Department of Licenses & Inspections (not the same agency that conducts restaurant inspections). Any food service establishment that violates any of the provisions of this shall be liable for a civil penalty not to exceed \$200.
	SB 1192 8/21/2018 Assembly: 46-26 Senate: 29-9	1/1/2019 (all California statutes go into effect January 1 unless another effective date is specified in the legislation)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, unflavored milk or non-dairy milk alternatives up to 130 calories per serving	Administered by local enforcement agency through restaurant inspections. Infraction with notice for first violation, fine up to \$250 for second violation within a 5-year period, and fine up to \$500 for each additional violation within a 5-year period.
California					

Louisville, KY	Ordinance O-064-18 5/24/2018 Metro Council: 13-11 (1 absent, 1 abstention)	10/5/2018 (120 days after signature by the mayor. Civil fines not assessed until 6/7/2019)	Default Beverages + Positive Food Component	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, fruit juice combined with water or carbonated water, beverages with less than 25 calories per 8 oz and no artificial sweeteners. Also requires children’s meal to include a fruit, vegetable, whole grain, or lean protein.	Administered by Louisville Metro Dept. of Public Health and Wellness through restaurant inspections. Civil penalty of \$25-\$100 per violation. Each day a violation occurs constitutes a separate offense.
	Council Bill 17-0152 3/12/2018 City Council: 15-0	7/18/2018 (90 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, up to 8 oz of 100% fruit juice or fruit juice combined with water or sparkling water, with no added sweetener	Administered by Baltimore City Health Dept. through restaurant inspections. Environmental citation with fine of \$100.
Daly City, CA	Ordinance 1415 1/8/2018 City Council: 5-0	6/1/2018	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or milk substitute with no added sweetener	Initial self-certification. Violations subject to civil fine of \$250 to \$1,000 at the discretion of the City Attorney.
Long Beach, CA	Ordinance ORD-17- 0027 11/14/2017 City Council: 7-0 (2 absent)	12/17/2017 (31 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no artificial sweeteners or additives, nonfat or 1% milk or non-dairy milk alternative under 130 calories per serving, 100% juice under 40 calories per serving	Administrative citation with fine of \$100 for first violation, \$200 for second violation, \$500 for each additional violation. Each day a violation exists constitutes a separate offense.
	Ordinance 803 11/8/2017 City Council: 3-2	12/8/2017 (30 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives	Annual self-certification. Charged as an infraction with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for third violation. Fourth and subsequent violations deemed a misdemeanor.
Lafayette, CO	Ordinance 2017-40 10/17/2017 City Council: 6-1	10/27/2017 (10 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives with no added sweetener	Annual self-certification. In practice, administered by Boulder County Public Health through restaurant inspections.

<p>Santa Clara County, CA</p>	<p>Ordinance NS-300.908 5/9/2017 Board of Supervisors: 4-0 (1 recusal)</p>	<p>8/7/2017 (90 days)</p>	<p>Default Beverages (See below for Santa Clara County's toy bill)</p>	<p>Water (can be carbonated or flavored) with no added sweeteners, dairy milk (can be flavored) with no added sweetener. No substitutions.</p>	<p>Administrative fine of \$250 for first violation, \$500 for second violation. Fines for additional violations not to exceed \$1,000. Regulatory fees for recovery of costs.</p>
<p>Berkeley, CA</p>	<p>Ordinance 7560 6/27/2017 City Council: 9-0</p>	<p>7/1/2017</p>	<p>Default Beverages</p>	<p>Water (can be sparkling or flavored) with no added sweetener, milk or milk substitute with no added sweetener. Substitutions allowed for an additional cost.</p>	<p>Charged as an infraction with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation.</p>
<p>Perris, CA</p>	<p>Ordinance 1340 3/14/2017 City Council: 5-0</p>	<p>4/14/2017 (30 days. Certification due 10/1/17)</p>	<p>Default Beverages</p>	<p>Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, up to 8 oz of 100% juice</p>	<p>Initial self-certification. Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation. Live Well Perris Team available to assist restaurants.</p>
<p>Stockton, CA</p>	<p>Ordinance 2016-06-07-1502 6/7/2016 City Council: 7-0</p>	<p>7/7/2016 (30 days)</p>	<p>Default Beverages</p>	<p>Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives</p>	<p>Annual self-certification. Administrative citation with fine of \$200 for first violation, \$500 for second or subsequent violations. City Manager has discretion to allow attendance at a certified community awareness and responsibility education class in lieu of fine.</p>
<p>Davis, CA</p>	<p>Ordinance 2451 6/2/2015 City Council: 5-0</p>	<p>7/2/2015 (30 days)</p>	<p>Default Beverages</p>	<p>Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives</p>	<p>Annual self-certification. Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation, plus recovery of costs.</p>
<p>San Francisco, CA</p>	<p>Ordinance 290-10 11/9/2010 Veto overridden 11/23/2010 Board of Supervisors: 8-3</p>	<p>12/1/2011</p>	<p>Toy Bill</p>	<p>Sets nutrition standards for single food items and meals sold with a toy/incentive item. These meals may not include a beverage with more than 35% of total calories from fat or more than 10% of calories from added sweetener. No substitutions.</p>	<p>Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation.</p>
<p>Santa Clara County, CA</p>	<p>Ordinance NS-300.820 5/11/2010 Board of Supervisors: 3-2</p>	<p>8/11/2010 (90 days)</p>	<p>Toy Bill</p>	<p>Sets nutrition standards for single food items and meals sold with a toy/incentive item. These meals may not include a beverage with more than 120 calories, more than 35% of total calories from fat, more than 10% of calories from added sweetener, added non-nutritive sweetener, or caffeine. No substitutions.</p>	<p>Administrative fine of \$250 for first violation, \$500 for second violation. Fines for additional violations not to exceed \$1,000. Regulatory fees for recovery of costs.</p>