

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

HOUSE BILL 1032  
RATIFIED BILL

AN ACT REQUIRING LOCAL BOARDS OF EDUCATION TO GIVE PREFERENCE IN PURCHASING CONTRACTS TO HIGH-CALCIUM FOODS AND BEVERAGES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 2 of Article 17 of Chapter 115C is amended by adding a new section to read:

**"§ 115C-264.1. Preference to high-calcium foods and beverages in purchasing contracts.**

(a) In addition to any requirements established by the United States Department of Agriculture under the National School Lunch Program, the School Breakfast Program, or other federally supported food service programs, local boards of education shall give preference in purchasing contracts to high-calcium foods and beverages. For purposes of this section, 'high-calcium foods and beverages' means foods and beverages that contain a higher level of calcium and that are equal to or lower in price than other products of the same type or quality.

(b) Notwithstanding the provisions of subsection (a) of this section, if a local school board determines that a high-calcium food or beverage would interfere with the proper treatment and care of an individual receiving services from the public school food program, the local school board shall not be required to purchase a high-calcium food or beverage for that individual. A local school board that has entered into a contract with a supplier to purchase food or beverages before the effective date of this section is not required to purchase high-calcium foods or beverages for the duration of that contract if purchasing those products would change the terms of the contract."

**SECTION 2.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 16<sup>th</sup> day of  
June, 2003.

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Beverly E. Perdue  
President of the Senate

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Richard T. Morgan  
Speaker of the House of Representatives

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Michael F. Easley  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2003