



General Assembly

Amendment

February Session, 2006

LCO No. 4887

SB0037304887HRO

Offered by:
REP. WITKOS, 17th Dist.

To: Subst. Senate Bill No. 373

File No. 490

Cal. No. 424

(As Amended)

"AN ACT CONCERNING TECHNICAL HIGH SCHOOL WIRING FOR TECHNOLOGY AND HEALTHY FOOD AND BEVERAGES IN SCHOOLS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 10-206 of the general statutes is amended by
4 adding subsection (g) as follows (*Effective July 1, 2006*):

5 (NEW) (g) (1) Each local and regional board of education shall
6 ensure that appropriate school health personnel calculate the body
7 mass index for each pupil enrolled in schools under the board's
8 jurisdiction in grade two and in each even-numbered grade thereafter.
9 If the body mass index percentile of a pupil is above a percentile
10 determined by the Commissioner of Public Health to be acceptable, the
11 board shall require each such pupil to perform at least fifteen minutes
12 of physical activity per school day, except in the case of a pupil who is

13 physically handicapped or with a medical condition that prohibits the
14 child from performing such activity, pursuant to the written order of a
15 physician or physician assistant, licensed pursuant to chapter 370.

16 (2) If, after two years from a determination that a pupil has a body
17 mass index percentile above a percentile determined by the
18 Commissioner of Public Health to be acceptable, (A) such pupil is
19 determined to still have a body mass index percentile above a
20 percentile determined by the commissioner to be acceptable, and (B)
21 the pupil's body mass index is not determined by a physician or
22 physician assistant, licensed pursuant to chapter 370 to be caused by
23 an underlying medical condition, other than obesity, the parent or
24 guardian of such child shall have committed an infraction.

25 (3) If a person elects to plead not guilty to an infraction pursuant to
26 subdivision (2) of this section, and the court, after a trial finds the
27 defendant guilty of the infraction, the court may, in lieu of a fine,
28 impose a requirement that the guilty person attend a course on
29 providing children with a healthy lifestyle administered by the
30 Department of Education, pursuant to section 502 of this act.

31 (4) Any fees collected pursuant to subdivision (2) of this section
32 shall be credited by the Treasurer upon deposit in the General Fund to
33 the Department of Education for the purposes of carrying out the
34 provisions of section 502 of this act.

35 Sec. 502. (NEW) (*Effective July 1, 2006*) The Department of Education,
36 in consultation with the Department of Public Health, shall, within
37 appropriations provided pursuant to subdivision (4) of subsection (g)
38 of section 10-206 of the general statutes, as amended by this act,
39 develop and administer a course for parents and guardians found
40 guilty pursuant to subdivision (2) of subsection (g) of section 10-206 of
41 the general statutes, as amended by this act, to aid such parents or
42 guardians in the provision of a healthy lifestyle for their child."