

1 **Foods Available at Schools Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor: Heidi Balderree

2
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions related to food additive prohibitions in a public school.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ amends the list of prohibited food additives;
- 9 ▶ adds an exception related to food that is donated;
- 10 ▶ removes an exception related to small schools; and
- 11 ▶ makes technical and conforming changes.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 This bill provides a special effective date.

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **53G-9-205.2**, as enacted by Laws of Utah 2025, Chapter 466

19
20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **53G-9-205.2** is amended to read:

22 **53G-9-205.2 . Definitions -- Prohibited food additives -- Exceptions.**

23 (1) As used in this section:

- 24 (a) "FD&C" means the Federal Food, Drug, and Cosmetics Act, 21 C.F.R. Part 74.
- 25 (b) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- 26 (c) "School day" means the same as that terms is defined in Section 53G-6-201.

27 (2)(a) [~~Beginning in the 2026-2027 school year, a~~] A public school may not sell, donate,
28 offer, or serve on school grounds during the school day, food that contains:

- 29 (i) potassium bromate;
- 30 (ii) propylparaben;

31 (iii) titanium dioxide;
 32 ~~[(iii)]~~ (iv) FD&C Blue No. 1;
 33 ~~[(iv)]~~ (v) FD&C Blue No. 2;
 34 ~~[(v)]~~ (vi) FD&C Green No. 3;
 35 ~~[(vi)]~~ (vii) FD&C Red No. 3;
 36 ~~[(vii)]~~ (viii) FD&C Red No. 40;
 37 ~~[(viii)]~~ (ix) FD&C Yellow No. 5; and
 38 ~~[(ix)]~~ (x) FD&C Yellow No. 6.

39 (b) Except as provided in Subsection (3), a person who sells, donates, offers, or serves a
 40 consumable item during the school day shall comply with the requirements under this
 41 section.

42 (3) ~~[(a)]~~ ~~[(b)]~~ Notwithstanding Subsection (2)(b):

43 ~~[(i)]~~ ~~[(a)]~~ (i) ~~[(b)]~~ a student's parent may provide students with a food item
 44 described in Subsection

45 (2)(a) during the school day;

46 ~~[(ii)]~~ ~~[(b)]~~ (ii) ~~[(c)]~~ a teacher may provide students with a food item described
 47 in Subsection (2)(a)

48 if the teacher obtains permission from the students' parents at the start of each
 49 school

50 semester; ~~[(c)]~~ ~~[(d)]~~ ~~[(e)]~~

51 ~~[(iii)]~~ ~~[(c)]~~ (iii) ~~[(d)]~~ an individual may donate a food item described in
 52 Subsection (2)(a) to a

53 school's food pantry;

54 ~~[(d)]~~ ~~[(e)]~~ (iv) ~~[(f)]~~ a public school may accept and distribute to a student a food
 55 item:

56 ~~[(e)]~~ ~~[(f)]~~ (A) ~~[(g)]~~ described in Subsection (2)(a); and

57 ~~[(f)]~~ ~~[(g)]~~ (B) ~~[(h)]~~ donated under Subsection (3)(c); and

58 ~~[(g)]~~ ~~[(h)]~~ (v) ~~[(i)]~~ a person may sell a food item described in Subsection (2)(a):

59 ~~[(A)]~~ ~~[(B)]~~ (i) ~~[(C)]~~ as a concession item at a school-sponsored event or
 60 extra-curricular activity;

61 or

62 ~~[(B)]~~ ~~[(C)]~~ (ii) ~~[(D)]~~ in a vending machine.

63 ~~[(b)]~~ ~~[(c)]~~ **This section does not apply to a charter school or school district that has**

57a **5,500**
58 **students or fewer until the 2027-2028 school year.** [] ←**h**
59 Section 2. **Effective Date.**
60 This bill takes effect on July 1, 2026.