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|  | **The Council of the City of New York****Finance Division**Latonia Mckinney, Director**Fiscal Impact Statement****Proposed Intro. No:**  1064-B**Committee:** Health |
| **Title:** A Local Law to amend the administrative code of the city of New York, in relation to selections for beverages included in children’s meals | **Sponsor(s):** Council Members Kallos, Levine, Espinal, Ayala, Rose, Reynoso, Rosenthal, Richards, Rivera, Cohen, Powers and Ulrich |

**Summary of Legislation:** Proposed Intro. No. 1064-B would require that restaurants in New York City that serve children’s meals limit the selection of drinks that contain added sugars or sweeteners advertised with these meals. More specifically, the bill would require that beverages listed as part of the children’s meal be limited to water, sparkling water, or flavored water, with no added natural or artificial sweeteners; flavored or unflavored nonfat or one percent fat dairy milk, or flavored or unflavored non-dairy beverage that is nutritionally equivalent to fluid milk, in a serving size of eight ounces or less; or one hundred percent fruit or vegetable juice, or any combination thereof, with no added natural or artificial sweeteners, in a serving size of eight ounces or less. Nothing in the bill would prohibit a food service establishment from providing upon request by a customer a substitute beverage. The proposed legislation would impose a civil penalty not to exceed $200 for any food service establishment that violates any of the provisions of the bill.

**Effective Date:** This local law would takes effect one year after it becomes law, provided that the Commissioner of the Department of Health and Mental Hygiene (“DOHMH”) may take all actions necessary for its implementation, including the promulgation of rules, before such effective dates.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2021

**Fiscal Impact Statement:**

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|  | **Effective FY20** | **FY Succeeding Effective FY21** | **Full Fiscal Impact FY21** |
| **Revenues** | $0 | $0 | $0 |
| **Expenditures** | $0 | $0 | $0 |
| **Net** | $0 | $0 | $0 |

**Impact on Revenues:** It is anticipated that the proposed legislation would have no impact on revenues despite the allowance for civil penalties because full compliance with the law is anticipated.

**Impact on Expenditures:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DOHMH would utilize existing resources to implement the requirements of the legislation.

**Source of Funds To Cover Estimated Costs:** N/A

**Source of Information:** New York City Council Finance Division

Department of Health and Mental Hygiene

**Estimate Prepared by:** Lauren Hunt, Financial Analyst

**Estimate Reviewed by:** Nathan Toth, Deputy Director, NYC Council Finance Division

Crilhien R. Francisco, Unit Head, NYC Council Finance Division

Stephanie Ruiz, Assistant Counsel, NYC Council Finance Division

**Legislative History:** This legislation was introduced as Intro. No. 1064 by the Council on August 8, 2018 and was referred to the Committee on Health. The legislation was subsequently amended and the Committee on Health considered the amended legislation, Proposed Intro. No. 1064-A, at a hearing on February 25, 2019 and the legislation was laid over. The legislation was subsequently amended a second time and the most recently amended version, Proposed Intro. No. 1064-B, will be voted on by the Committee on Health at a hearing on March 26, 2019. Upon successful vote by the Committee on Health, Proposed Intro. No. 1064-B will be submitted to the full Council for a vote on March 28, 2019.

**Date Prepared:** March 21, 2019