

HOUSE BILL 403

J1

8lr1606

By: **Delegates Nathan-Pulliam, Benson, Bronrott, Burns, Costa, Elliott, Howard, Hubbard, Jones, Kipke, Kullen, Lafferty, Montgomery, Morhaim, Pena-Melnyk, Riley, Stein, Tarrant, and Weldon**

Introduced and read first time: January 28, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Advisory Council on Physical Fitness – Obesity in School-Age Children**

3 FOR the purpose of requiring the State Advisory Council on Physical Fitness to make
4 certain recommendations to the State Department of Education, county boards
5 of education, and certain schools; requiring the State Advisory Council, in
6 consultation with the Department of Health and Mental Hygiene, to develop a
7 mechanism to collect certain data; and generally relating to the State Advisory
8 Council on Physical Fitness, physical activity, and obesity in school-age
9 children.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 13–401, 13–402, and 13–403
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2007 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 13–407
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2007 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Health – General**

23 13–401.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (b) "County advisory council" means an advisory council on physical fitness
3 for a county.

4 (c) "State Advisory Council" means the State Advisory Council on Physical
5 Fitness.

6 13-402.

7 The purposes of this subtitle and of the advisory councils that it creates are to
8 protect and improve physical fitness, including:

9 (1) Improvement of habits in recreation, exercise, sports, and the use
10 of leisure time;

11 (2) Protection and improvement of physique and health; and

12 (3) Improvement of instruction for any of these purposes.

13 13-403.

14 There is a State Advisory Council on Physical Fitness in the Department.

15 13-407.

16 (a) Subject to the requirements of this section, the Department may adopt
17 rules and regulations that are necessary and proper to govern the procedures and
18 business of the State Advisory Council.

19 (b) Before the Department adopts a rule or regulation, the Department shall
20 consult with the State Advisory Council.

21 (c) In addition to the duties set forth elsewhere in this subtitle, the State
22 Advisory Council shall:

23 (1) Maintain liaison with:

24 (i) The State Department of Education;

25 (ii) County boards of education;

26 (iii) Private and parochial schools;

27 (iv) County commissions; and

28 (v) Physical fitness agencies in other states and in the federal
29 government;

1 (2) Consult with and advise county advisory councils on their physical
2 fitness programs;

3 (3) Give out information on physical fitness programs in this State by
4 publication, advertisement, conferences, workshops, programs, lectures, and other
5 means;

6 (4) Collect and assemble pertinent information that is available from
7 other agencies of this State; [and]

8 **(5) MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT OF**
9 **EDUCATION, COUNTY BOARDS OF EDUCATION, AND PRIVATE AND PAROCHIAL**
10 **SCHOOLS ON METHODS TO INCREASE PHYSICAL ACTIVITY IN SCHOOLS AND BY**
11 **SCHOOL-AGE CHILDREN AND TEACHERS INCLUDING ADDING ALTERNATIVE**
12 **EXERCISE PROGRAMS TO SCHOOL CURRICULUMS;**

13 **(6) DEVELOP A MECHANISM, IN CONSULTATION WITH THE**
14 **DEPARTMENT, TO COLLECT DATA ON THE EFFECT OF THE PROGRAMS**
15 **IMPLEMENTED UNDER PARAGRAPH (5) OF THIS SUBSECTION ON THE**
16 **INCIDENCE OF COMPLICATIONS RELATED TO OBESITY IN CHILDREN INCLUDING**
17 **TYPE 2 DIABETES; AND**

18 **[(5)] (7) Generally promote physical fitness in this State.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2008.