SPONSOR: Rep. Neal & Sen. Lockman
Reps. Heffernan, Gorman, Morrison, Berry, Lambert, Harris

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 459
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ENERGY DRINKS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4137D. Prohibition of the sale of energy drinks on school campuses.

(a) For purposes of this section:

(1) "Campus" means areas of property under the jurisdiction of a school district or charter school that are accessible to students.

(2) "Energy drink" means a beverage that contains caffeine and is advertised as being specifically designed to provide energy, generally including a combination of methylxanthines, B vitamins, and herbal ingredients. An energy drink does not include a beverage that solely contains caffeine brewed or steeped from coffee beans or tea leaves.

(3) "Extended school day" means any mandatory or voluntary school activity that students attend, including clubs, sporting events, band and choir practice, student government, drama performances, and school dances.

(b) The sale of energy drinks is prohibited on all middle and high school campuses in this State during regular school hours and the extended school day.

(c) This section does not limit possession or consumption by a student of an energy drink obtained off campus.

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