



2016 State Legislative Summary: April 1 through July 30

34 bills related to school meals were introduced in State Legislatures between April and July 2016. This report does not include Appropriations/Budget bills.

2016 State Legislation Trends

Breakfast

School breakfast continues to be a top trend. Establishing or clarifying school breakfast programs is also a top trend with four bills introduced in Illinois, Maryland, and New Mexico. Of the four, three are active and one has been signed into law.

[SB 2393](#) in Illinois was introduced early this year. It recently passed both chambers and would establish Breakfast after the Bell programs in all schools with 70% or more free and reduced price eligibility.

[SB 756](#) and [HB 1360](#) are companion bills in Maryland and would require a Breakfast after the Bell program in all schools with at least 85% free and reduced price eligibility. SB 756 has passed in the Senate.

[HB 1463](#) in Colorado allows a public school with at least 70%, but fewer than 80% of students, who qualify for free or reduced price lunch to charge for Breakfast after the Bell for those students who are not eligible for free and reduced price lunch.

Fruit & Vegetable

Measures related to farm to school were addressed in New York and New Jersey.

[S 2123](#) in New Jersey allows qualified schools to be called "New Jersey Farm Fresh School."

[AB10479](#) in New York would amend the state finance law and the tax law, in relation to establishing the New York farm to school and school garden fund.

Summary and Status of State Legislation
April - July 2016

| | | | |
|--|---|--|---|
|  Active |  Paused/Sleeping |  Dead |  Law |
| <ul style="list-style-type: none">  Introduced/ 1st Reading  Referred to Committee  Passed Cmte. 1st Chamber  Passed 1st Chamber  Passed Cmte. 2nd Chamber | <ul style="list-style-type: none">  Passed 2nd Chamber  Conference  Passed Legislature  Signed/Enacted | | |

ALASKA

[HCR 18](#)

  *Dead in Committee*

Introduced 02/03/2016

Encouraging schools and businesses to reduce, recover, and recycle **food waste**.

CALIFORNIA

[SB 1169](#)

Introduced 02/18/2016

Makes numerous changes to school nutrition standards for **competitive food and beverages** to better align to the Federal Smart Snacks in Schools regulations.

COLORADO

[HB 1463](#)

Introduced 05/03/2016

Breakfast After the Bell Authority to Charge. This bill allows a public school with at least 70% of students, but fewer than 80% of students, who qualify for free or reduced-price lunch under the National School Lunch Program to charge for breakfast after the bell for those students who are not eligible for free and reduced-price lunch. A school that charges for breakfast after the bell must do so in a way that does not create an obvious distinction between paying students and those receiving a free breakfast.

CONNECTICUT

[SB 76](#)

  *Signed by Governor on 5/27/2016*

Introduced 02/10/2016

Requiring that any bid submitted by a food service management company in response to a request for proposal or bid solicitation by a local or regional board of education must include information detailing its consistency with the state's **Farm to School** program. Preference will be given to bids that facilitate the purchase of products from local farmers.

[HB 5303](#)



Introduced 2/18/2016

To increase the physical health of children by prohibiting or limiting the serving of **sweetened beverages** in child care settings, prohibiting children's access to certain **electronic devices** in child care settings, and increasing children's participation in daily **exercise**.

DELAWARE

[HB 408](#)



Introduced 6/7/2016

Rep. Edward Osienski (DEM-DE)

This Act requires that no later than school year 2017-2018, all public school sites, excluding charter school sites, that participate in the National School Lunch Program offer **breakfast through an alternative service model(s)**, which may include, but not be limited to, Breakfast in the Classroom, Grab and Go Breakfast, or Second Chance Breakfast. These alternative service model(s) may be in addition to their traditional breakfast meal service. This Act also requires that every public school site, excluding charter school sites, which reach a Free Claiming Percentage Rate of 70% or higher, shall be required to offer a breakfast at no cost to every student in the school.

HAWAII

[HB 2132 / SB 2426](#)



Introduced 1/22/2016

These House and Senate bills **prohibit denying a student a meal** for the first thirty days of a semester while applications are being processed, or for the first two weeks a student's meal fund balance is zero or negative. The bills have passed in both the House and Senate Education Committees.

[HCR 146 / SCR 143](#)

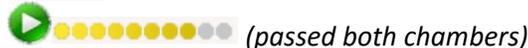


Introduced 3/11/2016

Concurrent resolution that would request the Department of Education to provide the necessary **equipment and staff** to create a full-service kitchen at Keaukaha Elementary School.

ILLINOIS

[SB 2393](#)



Introduced 4/4/2016

Breakfast After the Bell amendment to The Childhood Hunger Relief Act that would direct the board of education of each school district in Illinois to **implement and operate a Breakfast after the Bell program in the next academic year for all schools with 70% or more free and reduced priced eligibility**. The State Board of Education shall develop and distribute guidelines for implementation and make implementation records public.

KENTUCKY

[HJR 115 / SJR 114](#)



Introduced 2/8/2016

Directs the Kentucky Board of Education to require school **lunch periods of at least 30 minutes** in kindergarten through grade five schools, between the hours of 11am and 1pm whenever feasible.

MARYLAND

[SB 756 / HB1360](#)

  *Sleeping in Committee*

Introduced 2/8/2016

Establishes a **Breakfast After the Bell** program. Requiring that in the 2016-2017 school year all public schools with at least 85% free and reduced-price lunch or 55% direct certified shall offer **free breakfast** to every student after the start of the school day, using an alternative breakfast model. The percentage requirements will reduce by 5% in the following two years.

[SB 755 / HB 1325](#)

  *Dead in Committee*

Introduced 2/5/2016

Eliminates the reduced-price category by holding the State responsible for the student share of the costs of each reduced price meal.

MISSISSIPPI

[HB 71](#)

  *Dead in Committee*

Introduced 2/6/2016

Requires **all school cafeterias to comply with federal National School Lunch and School Breakfast** program standards and requires each school to prominently display the nutritional guide chart or the food pyramid.

[HB 1036](#)

  *Dead in Committee*

Introduced 2/8/2016

Requires school districts to serve **low-fat meals and snacks to students diagnosed as overweight.**

NEW HAMPSHIRE

[SB371](#)

  *Signed by Governor*

Introduced 1/6/2016

Establishes requirements for implementing a **school lunch meal payment policy.**

[SB372](#)

  *Paused for Further Study*

Introduced 1/6/2016

Establishes the **School Lunch Meal Program Fund** in order to provide financial assistance to school districts so that they may provide school lunches to all children unable to pay the full cost of their meal.

NEW MEXICO

[SB144](#)

  *Effective 9/14/2016*

Introduced 1/21/2016

Renaming the Breakfast after the Bell program and **allowing schools the option of providing breakfast before or after the beginning of the instructional day.**

NEW YORK

[A4540](#)



Stricken

Introduced 2/3/2016

A bill amending **competitive foods** nutritional standards, including limiting serving size of each package, calorie limits and prohibiting beverages other than juice with no added sugar, milk or water.

[AB 9977](#)



Introduced 05/02/2016

Committee on Education AN ACT to amend the education law, in relation to establishing nutrition standards for **competitive foods** and beverages sold or provided in public schools. *Relates to establishing nutrition standards for competitive foods and beverages sold or provided in public schools.*

[AB 10479](#)



Introduced 05/31/2016)

Relates to the creation of the New York farm to school and school garden fund; allows individuals to make a gift on their personal tax form for such fund such fund will be used to establish school gardens and purchase equipment and educational materials to promote students' consumption of local products conducted in cooperation with the department of agriculture and markets.

NEW JERSEY

[A3058](#)



Sleeping in Committee

Introduced 2/16/2016

Establishes a **Farm to School** Coordinating Council which would assess the states Farm to School Program and report recommendations to the Governor and Legislature within the year.

[S 2113](#)



Introduced 5/2/2016

This bill promotes healthy food choices in school cafeterias by encouraging school districts, public schools, and nonpublic schools to adopt the strategies of **The Smarter Lunchroom Movement**. *"The Smarter Lunchroom Act" promotes healthy food choices in school cafeterias.*

[S 2123](#)



Introduced 5/2/2016

Allows qualified school to be called ""New Jersey Farm Fresh School." This bill authorizes the Secretary of Agriculture to allow a school to use the words "New Jersey Farm Fresh School" in any promotional materials or description of the school upon receiving proof that at least 20 percent of the food served by the school consists of farm products grown and produced in New Jersey.

[S 2168](#)

  substituted by A1657

Introduced 05/09/2016

Establishes "Breakfast after the Bell" incentive fund.

This bill requires the Department of Agriculture, in consultation with the Department of Education, to develop and administer a "breakfast after the bell" incentive fund to provide an additional reimbursement to certain school districts that participate in the federal school breakfast program.

[A1657](#)

  Veto

Establishes "Breakfast after the Bell" incentive fund.

This bill requires the Department of Agriculture, in consultation with the Department of Education, to develop and administer a "breakfast after the bell" incentive fund to provide an additional reimbursement to certain school districts that participate in the federal school breakfast program.

RHODE ISLAND

[HB. 7487 / S 2673](#)

  Paused for further study

Introduced 2/5/2016

Would prohibit **marketing** of non-compliant foods on school property.

[HB. 7657](#)

  Paused for further study

Introduced 2/24/2016

Makes technical updates to Rhode Island's "competitive foods" statute which sets forth the nutritional criteria for foods and beverages sold in schools outside of the school meal programs. This bill would align Rhode Island **competitive foods** state standards to federal requirements.

[S 2757](#)

Introduced 3/10/2016

Requires all **competitive foods** and beverages sold on school campus during the school day to comply with federal competitive foods nutrition regulations. Fundraisers selling non-compliant competitive foods may do so at any time after the school day or off school campus. The department of elementary and secondary education shall post on its website resources to assist school districts with compliance and develop a process to monitor compliance.

VIRGINIA

[HJ 83](#)

  Left in Rules

Introduced 1/13/2016

Requests the Department of Education to **study the effects of student participation in Federal free and reduced price meals programs** on student academic performance.

WASHINGTON

[HB 2964](#)



Returned to House Rules Committee for Third Reading

Introduced 2/2/2016

Eliminates the copay for the reduced-price category. It would require the state to pay for meals to students that qualify for reduced-price meals.

WEST VIRGINIA

[HB 2112](#)



Dead in Committee

Introduced 1/13/2016

Requiring all school districts to establish and operate a **take home meals program** for low-income students or any student who requests take home meals. In addition, School districts are required to collaborate with the state Office of Child Nutrition to develop strategies and methods to increase school breakfast participation.

[SB 75](#)



Dead in Committee

Introduced 1/13/2016

This would amend the current law that addresses **cook-to-meal ratios** to change those numbers.

[HB 2510](#)



Dead in Committee

Introduced 1/13/2016

Addresses **competitive foods** by requiring the faculty to work with the principal to create a plan for food at **school parties**. Food at these parties would not have to meet the nutrition and calorie limits of federal law.

[HB 2250](#)



Dead in Committee

Introduced 1/23/2016

Addresses **competitive foods** by allowing parents or the school to **serve sweets during the holidays** if the school receives parental or guardian consent.