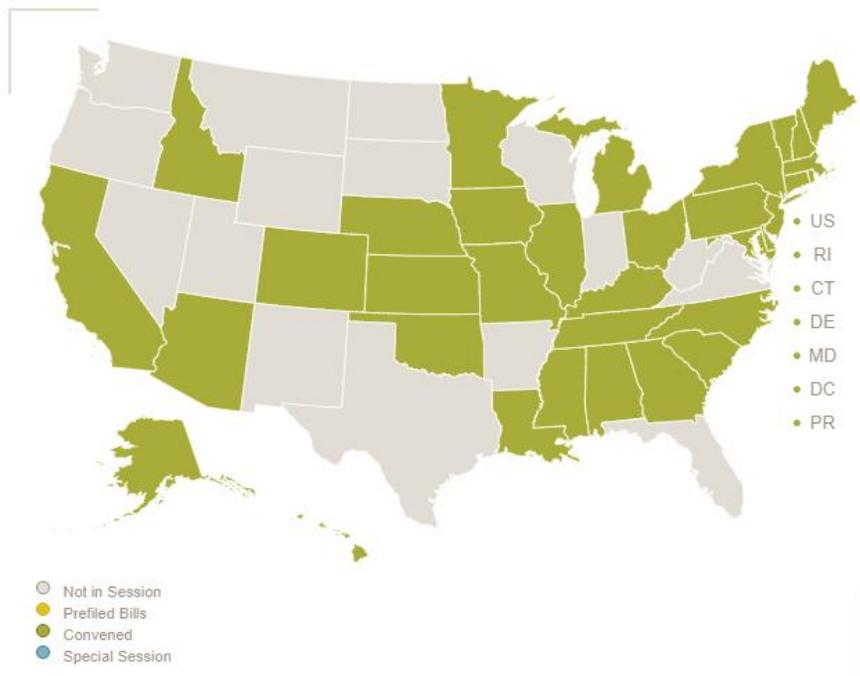




2018 STATE LEGISLATIVE SUMMARY: FIRST QUARTER REPORT

This report is a summary of key school nutrition state legislation introduced between January 1 and March 30, 2018. Annual funding bills are not included. SNA state advocacy resources are a collaborative effort intended to facilitate awareness of grassroots efforts at the local level. We welcome your updates at advocacy@schoolnutrition.org.

LEGISLATIVE SESSIONS (AS OF MARCH 30, 2018)



ADJOURNED

- Washington
- Oregon
- Nevada
- Montana
- Wyoming
- Utah
- New Mexico
- Texas
- Wisconsin
- Arkansas
- Indiana
- West Virginia
- Virginia
- Florida

TREND WATCH

Of the 45 bills introduced since January 2018, two were signed into law.

- Washington bill [HB 1508](#), acknowledges that school food programs are associated with improvements for **students' absenteeism, test** results and graduation rates and **requires "high-needs"** schools to offer breakfast after the bell to each student. Finally, the bill also increases support for farm to school programs. It goes into effect on June 7, 2018
- **West Virginia's** [HB 4478](#) authorizes public schools to create a Shared Table Program to allow for distribution of excess school food to students and others who are food insecure. It goes into effect June 5, 2018.

Unpaid meal debt is the most prominent trend in school nutrition legislation moving through state legislatures. **Following national news stories and USDA's 2017 requirement that schools implement an unpaid meal policy, states** are providing specific steps for the serving of meals and parental notification process for students with unpaid meal debt. To date, eight states have introduced legislation addressing unpaid meal debt.

SUMMARY AND STATUS OF LEGISLATION

CALIFORNIA

[AB 1871](#) requires charter schools to provide each eligible student with a “nutritionally adequate” meal each school day.

Hearing canceled at the request of author 3/21/2018

[AB 1974](#) builds on the *Child Hunger Prevention and Fair Treatment Act of 2017* by outlining specific debt collection rules for unpaid school meal debt. Titled the Primary Education Fair Debt Collection Act, the bill prohibits a school from taking action against a pupil or former pupil because their parent or guardian owes a debt and prohibits the use of a debt collector.

Re-referred to Education Committee 3/13/2018

[AB 2271](#) would require, upon appropriation by the Legislature, and contingent upon allocations provided by the federal Consolidated Appropriations Act, the State Department of Education to provide a matching state grant of up to \$100,000 to a school food authority that applies for and is awarded a federal Equipment Assistance Grant for School Food Authorities from the department in its administration of the National School Lunch Program. The bill would authorize a school food authority to use the federal and state grants for up to 5 individual school sites or to combine the federal and state grants for one purpose.

Re-referred to Appropriations Committee 3/22/2018

[AB 3043](#) would authorize a school district, commencing with the 2019–20 school year, after submitting certain documentation to the State Department of Education for approval, to provide universal breakfast, to the maximum extent practicable. This bill would authorize the governing board of a school district to authorize expenditures from the cafeteria fund or cafeteria account to provide universal breakfast and for the purchase of a mobile food facility.

Re-referred to Education Committee 3/14/2018

[AB 3083](#) would add to those prohibitions that such a school, school district, or charter school shall not participate in a food incentive program that rewards pupils by providing foods or beverages that do not comply with those nutritional standards.

Re-referred to Education Committee 3/14/2018

[SB 1138](#) states the intent of the California Legislature to enact legislation to ensure that certain foodservice operations, including those in schools, provide plant-based meal options.

Re-referred to Committee on RLS 3/22/2018

CONNECTICUT

[HB 5452](#) Requiring that each local and regional board of education shall implement a plan on or after October 1, 2019, based on previously developed guidelines for the management of students with life-threatening food allergies or glycogen storage disease enrolled **in school. Requiring that the plan is available through the board’s website and** include the plans in any programs relating to school climate or wellness.

Referred to the Office of Legislative Research 3/29/2018

FLORIDA

[S1610](#) Under this bill, if a student accumulates an unpaid meal balance greater than five meals, a school must check for eligibility status and follow specific steps for parental notification. The bill also requires schools (except CEP schools) to provide a free and reduced-price application to every enrolled student, in addition to offering assistance in completing the application if needed.

Died in Education Committee 3/10/2018

HAWAII

[HB 2025](#) authorizes the Department of Education to issue grants to establish a composting grant pilot project in Department of Education schools. Authorizes a composting grant pilot project working group. Requires a report to the Legislature and appropriates funds.

Passed House 3/1/2018. Referred to Senate Ways and Means 3/23/2018

[SCR180](#) requests that the Hawaii Department of Education reexamine the menu schedules for school meals to give local produce suppliers the ability to provide locally grown produce in each meal.

Referred to Senate Ways and Means 3/28/2018

[SB 2387](#) authorizes the Hawaii Department of Education to establish a Farm to School Program and designate a **Farm to School Coordinator to work in collaboration with the head of the Department of Agriculture's Hawaii Farm to School Program**. Appropriates funds for staff.

Passed Senate. Referred to House Committee on Finance 3/28/18

[SB 2928](#) establishes and appropriates funds for a farm to school grant pilot program within the Hawaii Department of Agriculture to provide grants to schools and other establishments.

Passed House and Senate 3/28/2018

[SCR 194](#) urges the Hawaii Department of Education to ensure that all public school students, including public charter school students have equal access to education facilities and food service.

Passed Senate Education Committee 3/28/2018

ILLINOIS

[SB 2428](#) creates the **Hunger-Free Students' Bill of Rights Act. Among other provisions, it requires that every school provide a federally reimbursable lunch to a student who requests one regardless of their ability to pay or status of an unpaid meal balance.**

Postponed in Education Committee 3/14/2018

INDIANA

[HCR 3](#) urges the legislative council to assign the topic of reducing overt identification of free and reduced-price lunch students through alternate charge and meal policies.

Referred to the Committee on Education 1/4/2018

[SB 314](#) requires any student who requests a meal to be provided a reimbursable meal regardless of their ability to pay or status of their unpaid meal charges.

Referred to the Committee on Education 1/4/2018

[HF 2467](#) requires schools to provide a reimbursable meal to any student that requests one, regardless of their ability to pay. The bill also specifies debt notification and collection practices.
Passed House 3/8/2018. Placed on Senate calendar 3/22/2018

IOWA

[HF 2271](#) would require lead testing in the water supply systems of schools and child care centers.
Introduced 2/7/2018

[HF 2467](#) requires schools to provide a reimbursable meal to any student that requests one, regardless of their ability to pay. The bill also specifies debt notification and collection practices.
Passed House 3/8/2018. Placed on Senate calendar 3/22/2018

LOUISIANA

[HB 284](#) and companion SB 245 requires a school to report the number of alternative meals served to a student with unpaid meal debt to the Department of Children and Family Services, the House Education Committee, and the Senate Committee on Education. The bill also requires steps for determining eligibility and notification of debt.
Referred to House Committee on Education 3/12/2018. Introduced in Senate 3/12/2018

MAINE

[SB 1684](#) requiring that any student that requests a meal must receive a USDA reimbursable meal regardless of ability to pay or status of an unpaid meal balance. The bill specifies further steps for notification and collection of unpaid meal debt.
Passed House and Senate 3/30/2018

MARYLAND

[HB 315](#) eliminates the reduced-price category and requires the State to be responsible **for the eligible student's** share of the costs of breakfast and lunches.
Passed House and Senate 3/30/2018

[HB 1545](#) would require more stringent milk, whole grains and sodium school meal standards than currently required under federal law.
Referred to Ways and Means 2/9/2018

MINNESOTA

[HF 2724](#) requires Minnesota schools to post their unpaid meal debt policy on their websites and requires that the **Commissioner of Education develop a model school meals policy and post it to the department's website. The bill** establishes an unpaid school lunch account in order to collect and distribute funds to charter schools and school districts with unpaid lunch balances.
Introduced 2/20/2018

MISSISSIPPI

[HB 159](#) amends current procurement law to require advertisements for competitive bids to be posted on the procurement portal website established by the Mississippi Department of Finance and Administration.
Died in Committee 1/30/2018

[HB 214](#) creates the Small School District Equipment, Maintenance and Infrastructure Grant Fund to provide assistance to eligible school districts with 4,500 students or less. The grants are intended to offset expenses for school equipment and other improvements to infrastructure.
Died in Committee 1/30/2018

[HB 494](#) is a reintroduction of a requirement to serve low-fat meals to all students who have been diagnosed as overweight.
Died in Committee 1/30/2018

[HB 510](#) requires the State Department of Education to provide training to various school officials on marketing healthy foods and creating a healthy cafeteria environment. It would also require that all schools display a **"nutritional guide chart or the food pyramid."**
Died in Committee 1/30/2018

MISSOURI

[HB 1939](#) outlines specific steps for a school to take to identify eligibility and notify parents or guardians when a student incurs unpaid meal debt.
Read second time 1/8/2018

NEBRASKA

[LB 771](#), The Child Hunger Workforce Readiness Act, declares that students who are eligible for free and reduced-price lunches may be particularly affected by public identification of an unpaid meal balance.
Referred to Education Committee 1/8/2018

NEW JERSEY

[AB 334](#) establishes the "breakfast after the bell" incentive fund.
Introduced 1/9/2018

[S 642](#) requires all schools with 5% or more free and reduced-price eligibility to establish the SBP. The bill specifies steps for the design and implementation of a breakfast program.
Introduced 1/9/2018

[SB 653](#), the Smarter Lunchroom Act **requires the Commissioner of Education to "make every effort to assist, guide, and support school districts and nonpublic schools in planning, establishing, and implementing the strategies of the Smarter Lunchroom Movement."**
Introduced 1/9/2018

[AR 118](#) on February 12th. The bill urges Congress to reauthorize the "Child Nutrition Act of 1966" while also noting lapse in reauthorization since the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) expired on September 30, 2015.
Referred to Agriculture Committee 2/12/2018

[S 1896](#), requires school districts to report quarterly to the USDA the number of students who are denied school breakfast or school lunch due to unpaid meal debt.
Passed by Senate 3/26/2018

NEW MEXICO

[HB 62](#) and companion [SB 106](#) makes an appropriation to provide New Mexico-grown fresh fruits and fresh vegetables for school meals. \$400,000 is appropriated to the public education department in FY 2019, as well as in subsequent fiscal years.
Action postponed indefinitely 1/26/2018

[SJM 16](#) requests that the New Mexico Education Department identify the availability of additional federal programs to improve New Mexico school meals, student health, as well as program funding and training. The measure also requests that the department conduct an analysis of the impact that increased applications for funding from federal school lunch or breakfast programs would have on school lunch debt.
Passed both chambers 2/14/2018

NEW YORK

[AO 3299](#) authorizes the Commissioner of Education to establish the school breakfast incentive program to provide grants to eligible school buildings that increase participation in school breakfast by removing barriers to participation.
Referred to Education Committee 1/3/2018

SOUTH DAKOTA

[SB 162](#) would require a school to provide a USDA reimbursable meal to any student that requests one regardless of their ability to pay or status of an unpaid meal fund.
Failed in Senate 2/21/2018

TENNESSEE

[HB 1690](#), requires schools to provide a reimbursable meal to any student who requests one, regardless of their ability to pay. Among other provisions, the bill specifies action steps if a student carries an unpaid meal balance greater than five meals and prohibits public identification of the student.
Assigned to Education Committee 2/21/2018

VIRGINIA

[HB 1477](#) directs each Virginia school board to require every public elementary and secondary school in the local school division to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP). The bill also requires that every student who requests a meal receives a reimbursable meal, regardless of their ability to pay, and prohibits public identification of the student.

Left in Education Committee 2/13/2018

WASHINGTON

[HB 1508](#) **acknowledges that school food programs are associated with improvements for students' absenteeism, test results and graduation rates. Furthermore, it requires "high-needs" schools to offer breakfast after the bell to each student.** Finally, the bill also increases support for farm to school programs.

Governor signed. Effective date 6/7/2018

WEST VIRGINIA

[HB 4224](#) defines employment terms and requirements for school service personnel. The work day is defined as eight hours, and any amount of time exceeding the eight-hour work day shall be considered overtime and paid accordingly.

Referred to Industry and Labor Committee 1/19/2018

[HB 4478](#) authorizes public schools to create a Shared Table Program to allow for distribution of excess school food to students and others who are food insecure.

Approved by Governor 2/27/2018