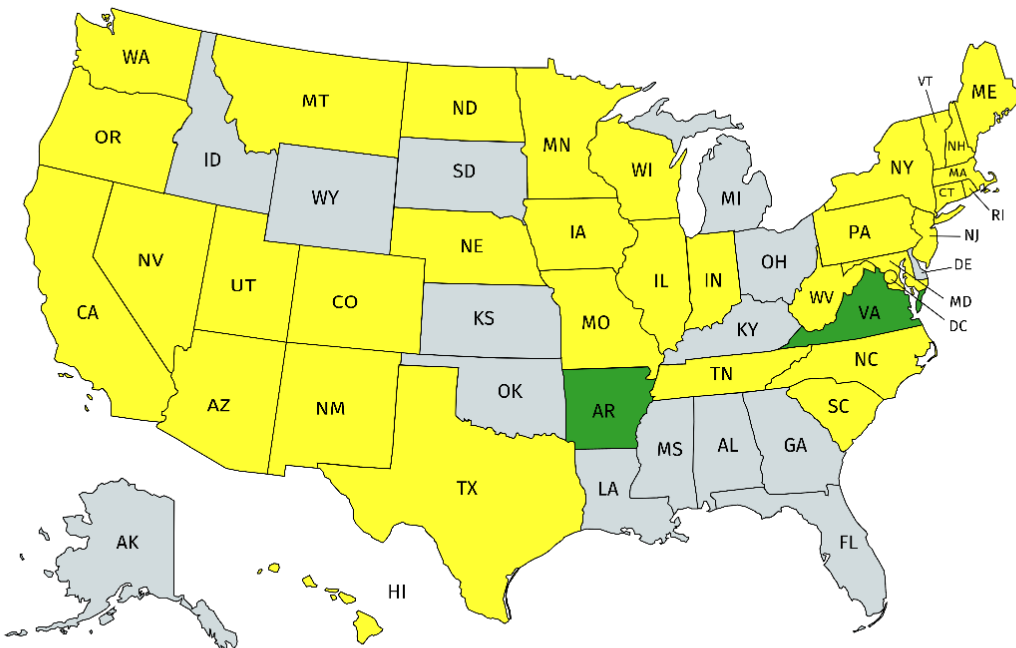




2019 STATE LEGISLATIVE SUMMARY: FIRST QUARTER REPORT

This report is a summary of key school nutrition state legislation that changed status between January 1 and March 31, 2019. Annual funding bills are not included. SNA state advocacy resources are a collaborative effort intended to support grassroots efforts at the local level. We welcome your updates at advocacy@schoolnutrition.org.

Q1 STATE OVERVIEW



Legislatures Adjourned: (As of 5/2/2019)

- Arkansas
- Georgia
- Idaho
- Indiana
- Iowa
- Kentucky
- Maryland
- Mississippi
- New Mexico
- North Dakota
- South Dakota
- Utah
- Virginia
- Washington
- Wyoming

School Nutrition Bills: Introduced Passed

TREND WATCH

Of the 187 bills impacting school meals programs introduced in the first three months of 2019, four have been signed into law:

- Arkansas:
 - [HB 1356](#) establishes prohibited conduct by schools when a student owes money for or cannot pay for school meals. It prohibits schools from providing an alternate meal or taking actions that would stigmatize the student. The bill also requires the Department of Education's Child Nutrition Unit to implement a system for reviewing local unpaid meal practices and provide model policies that local districts can adopt.
 - [HB 1615](#) establishes a Farm to School and Early Childhood Education Program and provides for a full-time Farm to School and Early Childhood Education Coordinator position in the Arkansas Agriculture Department.

- Maine's [LD 167](#) would require schools to provide a reimbursable meal to any student who requests one, regardless of a student's ability to pay or past accrual of **unpaid meal debt**. It would require schools to take certain actions to assist the parent or guardian of a student who has accrued meal debt, prohibit schools from punishing students due to their inability to pay for a meal and prohibit activities that would identify or stigmatize a student who cannot pay for a meal or owes money for previous meals.
- Virginia's [HB 2400](#) requires each local school board that collects information to determine eligibility for participation in the School Breakfast Program or the National School Lunch Program administered by the U.S. Department of Agriculture to establish and post prominently on its website a web-based application for student participation in such program and to continue to provide a paper-based application. The bill permits any school board in establishing such an application to adopt the U.S. Department of Agriculture's Web-Based Prototype Application for Free and Reduced Price School Meals or to digitize its existing paper-based application.

Continuing into 2019, **unpaid meal debt** remains a prominent trend in school nutrition legislation, with Arkansas becoming the eleventh state to pass an unpaid meals law.

A new trend in 2019 is the widespread introduction of bills to curb the use of **polystyrene** food containers, **plastic bags** and **single-use plastic straws**. While these bills are intended to impact all food service establishments, they would also apply to school nutrition programs and impact some operators.

Another newly trending legislative initiative are **employee scheduling regulations**. While these bills are not specifically tailored to school nutrition programs, managers and others responsible for setting employee schedules need to be aware of these potential changes.

Other trends that have returned in 2019 are **local procurement incentives**, **school breakfast incentives**, **Farm to School Programs** and **eliminating the Reduced Price co-pay**.

SUMMARY AND STATUS OF LEGISLATION

ARIZONA

[HB 2648](#) appropriates \$220,000,000 that is intended to fund **salary increases** for personnel who provide student support and instruction support services, including student food service, student transportation and school site plant operations.

Introduced, referred to the House Committees on Education, Appropriations and Rules. 2/13/2019

[SB 1205](#) requires all schools to provide access to free, fresh **drinking water** during meal times in the food service areas of each school, including any area where lunch or breakfast is served or consumed.

Introduced, referred to the Senate Committees on Education and Rules. 1/28/2019

ARKANSAS

[HB 1356](#) establishes prohibited conduct by schools when a student owes money for or cannot pay for school meals. It prohibits schools from providing an alternate meal or taking actions that would stigmatize the student. The bill also requires the Department of Education's Child Nutrition Unit to implement a system for reviewing local **unpaid meal** practices and provide model policies that local districts can adopt.

Signed into law by the Governor. 3/12/2019

[HB 1615](#) establishes a **Farm to School** and Early Childhood Education Program and provides for a full-time Farm to School and Early Childhood Education Coordinator position in the Arkansas Agriculture Department.

Signed into law by the Governor. 3/18/2019

[HB 1823](#) requires employees of food service establishments to be immunized or vaccinated against Hepatitis A.

Introduced, referred to the House Public Health, Welfare and Labor Committee. 3/14/2019

[HB 1853](#) amends the Local Food, Farms, and Jobs Act to expand the agencies the act applies to, increase the share of **local farm of food products** purchased by those agencies and eliminate the requirement that a preferred bid under the act does not exceed the lowest bid by more than ten percent, as well as other changes.

Passed by the House and Senate. 4/3/2019

CALIFORNIA

[AB 353](#) would require food service facilities located in a state-owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency to dispense prepared food in **food service packaging** that meets standards set by the Department of Resources Recycling and Recovery and published on the Department's website.

Referred to the Assembly Natural Resources Committee. 3/20/2019

[AB 354](#) would require schools that do not participate in the National School Lunch Program and the School Breakfast Program to provide adequate space for children to consume breakfast and lunch, and report annually to the Department of Education the **alternative meal program** it will follow to ensure that each needy pupil is provided a free or Reduced Price meal. It would also require the Department to conduct onsite reviews of school sites to verify compliance with federal meal benefit issuance and meal pattern regulations under NSLP and SBP and issue a report to the legislature with the results of those reviews and a list of noncompliant schools.

Referred to the Assembly Appropriations Committee Suspense File. 4/3/2019

[AB 479](#) would establish the California School **Plant-Based Food and Beverage Program** and authorize a Local Education Agency (LEA) to apply for a reimbursement of up to \$0.20 per meal for meals that include a plant-based food option, or up to \$0.10 per meal for a meal that includes a plant-based milk option. It would also provide for grants of up to \$100,000 to LEAs to support the program, and authorize the department to accept funding from private sources for the purpose of providing these reimbursements or grants.

Re-referred to the Assembly Appropriations Committee. 4/11/2019

[AB 842](#) would require that **state per-meal reimbursement** rates be equal for schools, childcare centers and family daycare homes. It requires child development programs to comply with nutrition-related prohibitions and requirements that LEAs are currently required to meet. It also requires child development programs to provide each needy child with one nutritionally adequate free or Reduced Price meal during each program day. It would also require part-day and full-day California state preschool programs to provide each child access to one or two nutritious meals, respectively, per program day.

Re-referred to the Assembly Appropriations Committee. 4/3/2019

[AB 958](#) would create the California **Organic-to-School Pilot Program**, to be administered by the Secretary of Food and Agriculture, through the Office of Farm to Fork. The bill would require the secretary to expend moneys allocated for the program to provide grants for School Food Authorities (SFAs) to purchase California organic food products for school meals.

Reported favorably from the Assembly Agriculture Committee, referred to the Education Committee. 4/10/2019

[AB 985](#) would authorize a school district, county office of education, or charter school to establish a pilot program at an elementary school within its jurisdiction for purposes of evaluating the impacts of whole or 2 percent unflavored milk consumption among pupils, as specified, and would authorize a school participating in a pilot program to receive funds from public or private sources to implement the pilot program.

Amended by the bill author, re-referred to the Assembly Education Committee. 4/11/2019

[AB 1080](#) would establish the California Circular Economy and Plastic Pollution Reduction Act, which would require the department, in consultation with the State Water Resources Control Board and the Ocean Protection Council, to adopt regulations to decrease usage of **single-use plastic packaging** and products and recycle 75% of those sold or distributed in California by 2030.

Reported favorably from the Assembly Natural Resources Committee, referred to the Appropriations Committee. 3/26/2019

[AB 1377](#) would require counties, upon being informed that a child meets federal eligibility criteria for free or Reduced Price meals, to deem the child automatically eligible for the CalFresh program unless federal law makes that child ineligible and inform the child's parent or guardian of this determination.

Pending re-referral to the Assembly Committee on Education. 4/11/2019

[AB 1532](#) would apply existing food handler training requirements on specified topics, including foodborne illness and food contamination, to all food facilities subject to the California Retail Food Code, including public and private school cafeterias.

Reported favorably from the Assembly Health Committee, referred to the Appropriations Committee. 4/11/2019

[ACR 40](#) would proclaim March 4, 2019, to March 8, 2019, inclusive, as School Breakfast Week.

Adopted by the Assembly and the Senate. 3/28/2019

[SB 54](#) would establish the California Circular Economy and Plastic Pollution Reduction Act, which would require the department, in consultation with the State Water Resources Control Board and the Ocean Protection Council, to adopt regulations to decrease usage of **single-use plastic packaging** and products and recycle 75% of those sold or distributed in California by 2030.

Reported favorably from the Senate Environmental Quality Committee, referred to the Appropriations Committee. 3/25/2019

[SB 265](#) would amend the Child Hunger Prevention and Fair Treatment Act of 2017, effective July 1, 2026, repealing the requirement that students with unpaid meal debt not be served a meal that differs from what a pupil "paying for a school meal would receive," and replacing that with the requirement that a student with unpaid meal debt not be served a meal that differs from what a pupil "whose parent or guardian does not have unpaid school meal fees would receive under that local educational agency's policy."

Reported favorably from the Senate Education Committee, referred to the Appropriations Committee. 4/10/2019

[SB 499](#) would allow schools that adopt the **Community Eligibility Provision** (CEP) to establish a base year under the state's school funding formula using free or Reduced Price data from the school year when the school applied for CEP. It also establishes the **California-Grown** for Healthy Kids Program, administered by the State Department of Education, to increase the provision of universally free school meals made with fresh, California-grown fruits and vegetables. The bill would also provide **supplemental funding** of \$0.10 **per breakfast** served to SFAs that meet specified requirements, including making universal school breakfast available in all school sites and establishing universal breakfast and lunch in very high poverty schools.

Reported favorably from the Senate Education Committee, referred to the Appropriations Committee. 4/9/2019

[SB 677](#) would prohibit the use of **latex gloves** in food service operations and retail food establishments and require food employees that wear gloves to wear nonlatex gloves.

Reported favorably by the Senate Health Committee, referred to the Appropriations Committee. 4/25/2019

COLORADO

[HB 1132](#) would establish three **incentive programs** to encourage SFAs to purchase food products from Colorado growers, producers and processors. The primary incentive would reimburse schools based on the amount they spent on **Colorado grown, raised and processed** products. A secondary incentive would reward schools for increasing the amount of Colorado products used. A third bonus incentive would be available to schools where at least fifty percent of the total products purchased were Colorado-grown. The bill also establishes funding for a statewide non-profit organization to develop and manage a grant program to assist with the promotion of Colorado products.

Reported favorably from the House Committee of the Whole. 4/12/2019

[HB 1249](#) would require school districts to take certain actions when entering into a professional services contract, including food service, with personnel costs of \$200,000 or more. It also requires school contractors to provide proof of liability insurance equivalent in amount and scope with that provided by the school district for the contracting activity. The bill would also prohibit schools from contracting with an entity that has committed unfair labor practices within the five previous years from the date bids were solicited, or from entering into a contract that takes effect prior to the expiration of an existing collective bargaining agreement with employees impacted by the new contract.

Postponed indefinitely in the House Education Committee. 4/11/2019

CONNECTICUT

[HB 5379](#) would encourage local and regional boards of education to **procure locally grown foods** for their school food programs.

Introduced, referred to the Joint Committee on Education. 1/16/2019

[HB 6924](#) would limit the practice of **on-call shift scheduling** by establishing compensation requirements for employers with at least 25 employees in the event of certain shift cancellations or reductions. It would require an employer to pay an employee one-half of the employee's regular rate for any scheduled work hours the employee does not work due to the employer cancelling or reducing the employee's scheduled work hours either after the employee reports to work or less than seventy-two hours prior to the scheduled work. It also allows employees to decline to work a shift that begins less than eleven hours after the end of the previous day's shift, or during the eleven-hour period following the end of an employee's shift that spanned two days.

Reported favorably from the Legislative Commissioner's Office, placed on the House calendar. 4/4/2019

[HB 7350](#) would require each regional educational service center to develop an inventory of goods and services offered by such center— including food or food services – and a report on best practices for regional cooperation and the sharing of services between the center and its member boards of education.

Reported favorably from the Legislative Commissioner's Office, placed on the House calendar. 4/17/2019

[SB 229](#) would prohibit schools from entering into purchasing contracts for trays made of **expanded polystyrene**. It would require each district, by October 1, 2019, to develop a plan for discontinuing the use of such trays by July 1, 2020.

Reported favorably from the Legislative Commissioner's Office, placed on the Senate calendar. 4/9/2019

DISTRICT OF COLUMBIA

[B23-0191](#) would prohibit the retail sale of **polystyrene foam food packaging**. It also prohibits the sale of loose fill packaging, commonly known as packing peanuts.

Notice of Intent to Act on B23-0191 published in the District of Columbia Register. 3/22/2019

HAWAII

[HB 637](#) would authorize the Department of Education and Hawaii Community Development Authority to develop programs that provide incentives to establish **gardens on school campuses** and within housing projects and communities.

Introduced, referred to the House Agriculture; Lower & Higher Education; Water, Lands & Hawaiian Affairs; and Finance Committees. 1/24/2019

[HB 1295](#) would establish and appropriate funds for a **state school meal subsidy program** within the Department of Education to provide school lunch subsidies to children whose families do not otherwise qualify for the free and Reduced Price lunch program.

Reported favorably from the House Lower & Higher Education Committee, referred to the Finance Committee. 2/15/2019

[HR 198](#) urges the Department of Education to offer **vegetarian lunches** in all public schools at least once weekly.

Reported favorably from the House Lower & Higher Education Committee, referred to the Finance Committee. 3/28/2019

[HCR 223](#) urges the Department of Education to offer **vegetarian lunches** in all public schools at least once weekly.

Reported favorably from the House Lower & Higher Education Committee, referred to the Finance Committee. 3/28/2019

[SB 303](#) would authorize the Department of Education to develop programs to encourage the development of **gardens on school property** and authorize the Hawaii Community Development Authority to develop programs that provide incentives to establish gardens in housing projects, communities, and schools.

Reported favorably from the House Agriculture and Lower & Higher Education Committees, referred to the Finance Committee. 3/21/2019

[SB 594](#) would establish and appropriate funds for a **school meal subsidy program** within the department of education to provide school lunch subsidies to children whose families do not otherwise qualify for free lunch under the free and Reduced Price lunch program, subject to income eligibility.

Reported favorably from the Senate Education Committee, referred to the Ways & Means Committee. 2/12/2019

[SB 937](#) would appropriate funds to the state public charter school commission to allocate to **charter schools** for meal service costs.

Reported favorably from the Senate Education Committee, referred to the Ways & Means Committee. 2/11/2019

ILLINOIS

[HB 2201](#) would amend the Food Handling Regulation Enforcement Act, requiring all food service establishments using **latex gloves** in handling or preparing food to display an allergenic notice.

Tabled in the House Consumer Protection Committee. 2/28/2019

[HB 2831](#) would amend the Food Handling Regulation Enforcement Act, prohibiting the use of **latex gloves** in food service establishments.

Passed by the House, placed on the Senate calendar for first reading. 4/4/2019

[HB 3018](#) would amend the Food Handling Regulation Enforcement Act, providing that a restaurant must prominently display signage indicating to guests and employees that any information regarding **food allergies** must be communicated to the restaurant's food service sanitation manager. The bill also provides that the food service manager shall be responsible for displaying the signage.

Passed by the House, referred to the Senate Assignments Committee. 4/12/2019

INDIANA

[HB 1003](#) would, among other changes, establish a target of 15% for transfers from schools education funds to operations funds, and require schools to specify in their proposed budget the anticipated amount it will transfer and acknowledge at its budget hearing whether it will transfer more than 15%.

Passed by the House and Senate, referred to a conference committee. 4/15/2019

IOWA

[HF 99](#) would authorize the school budget review committee to grant supplemental aid or establish a modified supplemental amount for a school district with an unusual increase in students eligible for free and Reduced Price meals.

Introduced, referred to a House Education Subcommittee. 1/29/2019

[HF 183](#) would require that each school district offer a daily **vegetarian entrée option** under the school breakfast and lunch programs. It also requires that by July 1, 2019, 50% of the food sold or provided by schools be certified organic, and that by July 1, 2022, 100% of such foods be certified organic.

Introduced, referred to a House Education Subcommittee. 2/4/2019

[HF 493](#) would authorize the school budget review committee to grant supplemental aid or establish a modified supplemental amount for a school district for the payment of fees or costs associated with school courses or programs that are not charged to pupils as the result of the pupil's eligibility for free and Reduced Price meals.

Introduced, referred to a House Education Subcommittee. 2/27/2019

MAINE

[LD 167](#) would requires schools to provide a reimbursable meal to any student who requests one, regardless of a student's ability to pay or past accrual of **unpaid meal debt**. It would require schools to take certain actions to assist the parent or guardian of a student who has accrued meal debt, prohibit schools from punishing students due to their inability to pay for a meal and prohibit activities that would identify or stigmatize a student who cannot pay for a meal or owes money for previous meals.

Signed into law by the Governor. 4/26/2019

[LD 359](#) would require a school administrative unit with a public school in which at least 50% of students qualified for a free or Reduced Price lunch during the preceding school year to operate an **alternative breakfast delivery service** that provides breakfast after the start of the school day for students at that public school. It also provides a process for a school administrative unit to opt out of the alternative breakfast delivery service. This bill requires the Department of Education to adopt rules to develop an application process and to adopt standards to address

evaluation criteria based on need for funding assistance for alternative breakfast delivery services in school administrative units. It also requires the department to develop a means to track health and academic outcomes of students and schools that participate in alternative breakfast delivery services.

Introduced in the Senate, referred to the Joint Committee on Education and Cultural Affairs. 1/24/2019

[LD 505](#) would require that a prepared food vendor may sell or provide prepared food to a customer for consumption on the vendor's premises only if the prepared food is served to the customer using **reusable food ware**. The bill also requires that a prepared food vendor may sell or provide prepared food to a customer for consumption off the vendor's premises using **single-use disposable food ware** only if the prepared food is served to the customer using single-use disposable food ware approved by the Department of Environmental Protection as recyclable or compostable. The bill also requires that a prepared food vendor selling take-out food to a customer for consumption off the vendor's premises must require payment by the customer of a fee, retained by the prepared food vendor, of \$0.25 for certain items of single-use disposable food ware in which the customer's take-out food is served or for each take-out meal served to the customer, whichever is less. The provisions of this bill also apply to a prepared food vendor or other food server providing or serving prepared food to customers at a state facility or state function.
Reported "Ought Not to Pass" by the Joint Committee on Education and Cultural Affairs. 3/19/2019

[LD 549](#) would direct the State to fund the difference between the federal reimbursements for **Reduced Price** and free lunches in order to provide all children from families with incomes under 185% of the federal poverty level free lunch at school.

Introduced in the Senate, referred to the Joint Committee on Education and Cultural Affairs. 1/31/2019

[LD 577](#) would provide for the participation in the federal child and adult care food program to serve at-risk students who attend after-school programming by school administrative units that choose to operate the program and have at least one public school in which at least 50% of students qualified for a free or Reduced Price lunch during the preceding school year.

Introduced in the House, referred to the Joint Committee on Education and Cultural Affairs. 2/5/2019

[LD 605](#) would require the Department of Education on an annual basis to provide information to public schools regarding **Internet-based applications** for free or Reduced Price meals under the National School Lunch Program.

Introduced in the Senate, referred to the Joint Committee on Education and Cultural Affairs. 2/5/2019

[LD 621](#) would prohibit food establishments from processing, preparing, selling or providing food in or on an extruded **polystyrene foam food service container** with certain exceptions.

Reported "Ought Not to Pass" by the Joint Committee on Environment and Natural Resources. 4/2/2019

[LD 701](#) would require the Department of Education to develop and make available to public schools a specific **Internet-based application** for the National School Lunch Program as well as for the School Breakfast Program. A public school that implements the Internet-based application process would still be required to continue to distribute paper applications for school meals to all students.

Introduced in the Senate, referred to the Joint Committee on Education and Cultural Affairs. 2/12/2019

[LD 1351](#) would require the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Department of Education, by October 1, 2019, to collaborate to revise the Department of Health and Human Services, Maine Center for Disease Control and Prevention's health inspection program guidance titled "**Food Sharing Tables - Guidance for Schools**" and disseminate the new guidance to public schools in the State. It would also require the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Department of Agriculture, Conservation and Forestry to grant public school food service

programs a variance under the departments' jointly adopted rules regulating food safety in order to allow public school food service programs to collect food that was taken from the food service line by students and placed on a share table and to redistribute that food through the food service line; to allow students to take food from a share table and consume that food in the same breakfast, lunch or snack period or at another time; to allow students to place unwanted, eligible food items on a share table at any time during their breakfast, lunch or snack period; and to allow school staff members under certain circumstances to collect and redistribute food from a share table.

Introduced in the Senate, referred to the Joint Committee on Education and Cultural Affairs. 3/21/2019

[LD 1433](#) would amend the laws regarding the reduction of toxics in packaging to prohibit the sale of **food packaging** to which phthalates have been intentionally introduced, effective January 1, 2022. It also authorizes the Department of Environmental Protection to by rule prohibit the sale of food packaging to which perfluoroalkyl and polyfluoroalkyl substances, or PFAS, have been intentionally introduced upon a determination by the department that a safer alternative to the intentionally introduced PFAS is available, except that such prohibition may not take effect until January 1, 2022 or 2 years following the department's determination that a safer alternative is available, whichever is later. The bill would provide an exemption for manufacturers doing less than one billion dollars in annual national sales. It would also authorize the department to designate additional chemicals of concern in food packaging, require manufacturers that use such designated chemicals to report their use and the availability of safer alternatives and prohibit the sale of food packaging that use a designated chemical if safer alternatives are readily available.

Introduced in the House, referred to the Joint Committee on Environment and Natural Resources. 3/28/2019

MARYLAND

[HB 305](#) would establish the Maryland Food for Maryland Institutions Task Force to investigate and study ways to increase the procurement of **locally grown foods** in State contracts and to promote participation by Maryland farmers in the process; providing for the composition of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before January 1, 2020.

Reported unfavorably by the House Health and Government Operations Committee and withdrawn. 3/21/2019

[HB 1000](#) would require the Governor to include a certain amount in the annual State budget for each county board of education to support the maintenance of **school buildings and equipment**, including food services; requiring a certain appropriation to be in addition to any other State funds provided to the county board in a certain fiscal year; and requiring each county board to use certain funds only for the maintenance of school buildings and equipment.

Reported unfavorably by the House Appropriations Committee and withdrawn. 4/8/2019

[SB 586](#) would require the Governor to include a certain amount in the annual State budget for each county board of education to support the maintenance of **school buildings and equipment**, including food services; requiring a certain appropriation to be in addition to any other State funds provided to the county board in a certain fiscal year; and requiring each county board to use certain funds only for the maintenance of school buildings and equipment.

Introduced, referred to the Senate Budget and Taxation Committee. 2/4/2019

[SB 608](#) would establish the Maryland Food for Maryland Institutions Task Force to investigate and study ways to increase the procurement of **locally grown foods** in State contracts and to promote participation by Maryland farmers in the process; providing for the composition of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before January 1, 2020.

Introduced, referred to the Senate Education, Health and Environmental Affairs Committee. 2/4/2019

MASSACHUSETTS

[H 556](#) would establish the Massachusetts **Farm to School** Grant Program, a competitive grant program with the purpose of strengthening the Massachusetts food economy and improving student health and nutrition. Eligible applicants would be public schools where 40% or more of the students are eligible for free or Reduced Price meals, and the program would fund equipment, training or infrastructure and programming for student activities promoting education about agriculture and the food system. Up to fifteen percent of the funds provided by each grant could be used for the purchase of foods raised, grown or produced in Massachusetts, provided that preparation and consumption of these foods relates to the primary grant activity or expenditure.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[H 585](#) would provide state funding to eliminate the **Reduced Price student co-pay**. It would also provide state funding for free meals for students who are in the custody of a non-parent relative, have a disability and receive Supplemental Security Income benefits or have special needs and were formerly in foster care and receive certain government assistance. The bill would also require schools with an identified student percentage of sixty percent or more to elect and implement CEP or Provision 2. High poverty school districts and individual schools with an identified student percentage of forty percent or more would be required to elect and implement CEP or Provision 2 unless the district school board votes to not participate. The bill also requires districts to direct communications about unpaid meals or debt balances to parents or guardians and to take certain steps to ensure students are being directly certified for free or Reduced Price meals. It would also prohibit actions that would identify or stigmatize a student unable to pay for meals.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[H 591](#) would require schools with an identified student percentage of sixty percent or more to offer all students a **school breakfast** after the beginning of the instructional day, using the service model that best suits its students.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[H 743](#) would require all retail food establishments will use **food service ware** that is biodegradable, compostable, recyclable, or reusable for any food prepared or packaged on premises, as defined by the act and subject to regulations promulgated by the Department of Environmental Protection.

Introduced, referred to the Joint Committee on Environment, National Resources and Agriculture. 1/22/2019

[H 886](#) would prohibit food service businesses from using **disposable food service ware**, as defined, and provides for the enforcement of this prohibition through a fine.

Introduced, referred to the Joint Committee on Environment, National Resources & Agriculture. 1/22/2019

[H 1846](#) would create a commission to study the relationship between high sodium and sugar content in meals served in restaurants, schools, and other places of public accommodation and its impact on public health.

Introduced, referred to the Joint Committee on Public Health. 1/22/2019

[H 1969](#) would allow food service establishments, including restaurants and cafeterias, to donate their edible leftover cooked food and nonperishable food to local food pantries and assistance shelters and shall be allowed to take a tax credit or deduction for same. The food service establishment would not be held liable in the event of any harm resulting to a person from the ingestion of any item of donated food described in this section.

Introduced, referred to the Joint Committee on Public Health. 1/22/2019

[H 2671](#) would require that up to 10%, subject to a phase in over five years, of the individuals hired with a contract issued for services, including food services, by the Commonwealth or any political subdivision be individuals with

disabilities.

Introduced, referred to the Joint Committee on State Administration & Regulatory Oversight. 1/22/2019

[H 3502](#) would prohibit food establishments from dispensing food to customers in **disposable food service containers** made from expanded **polystyrene**.

Introduced, referred to the Joint Committee on Public Health. 1/22/2019

[S 256](#) would provide state funding to eliminate the **Reduced Price student co-pay**. It would also provide state funding for free meals for students who are in the custody of a non-parent relative, have a disability and receive Supplemental Security Income benefits or have special needs and were formerly in foster care and receive certain government assistance. The bill would also require schools with an identified student percentage of sixty percent or more to elect and implement **CEP** or Provision 2. High poverty school districts and individual schools with an identified student percentage of forty percent or more would be required to elect and implement CEP or Provision 2 unless the district school board votes to not participate. The bill also requires districts to direct communications about unpaid meals or debt balances to parents or guardians and to take certain steps to ensure students are being directly certified for free or Reduced Price meals. It would also prohibit actions that would identify or stigmatize a student **unable to pay for meals**.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[S 267](#) would require schools with an identified student percentage of sixty percent or more to offer all students a **school breakfast** after the beginning of the instructional day, using the service model that best suits its students.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[S 301](#) would establish the Massachusetts **Farm to School** Grant Program, a competitive grant program with the purpose of strengthening the Massachusetts food economy and improving student health and nutrition. Eligible applicants would be public schools where 40% or more of the students are eligible for free or Reduced Price meals, and the program would fund equipment, training or infrastructure and programming for student activities promoting education about agriculture and the food system. Up to fifteen percent of the funds provided by each grant could be used for the purchase of foods raised, grown or produced in Massachusetts, provided that preparation and consumption of these foods relates to the primary grant activity or expenditure.

Introduced, referred to the Joint Committee on Education. 1/22/2019

[S 429](#) would prohibit food service establishments from providing a **single-use plastic straw** unless requested by a consumer or selected by the consumer from a self-service dispenser.

Introduced, referred to the Joint Committee on Environment, Natural Resources & Agriculture. 1/22/2019

[S 439](#) would require all retail food establishments to use biodegradable, compostable, recyclable or reusable **food service ware**.

Introduced, referred to the Joint Committee on Environment, Natural Resources & Agriculture. 1/22/2019

[S 934](#) would allow food service establishments, including restaurants and cafeterias, to donate their edible leftover cooked food and nonperishable food to local food pantries and assistance shelters and shall be allowed to take a tax credit or deduction for same. The food service establishment would not be held liable in the event of any harm resulting to a person from the ingestion of any item of donated food described in this section.

Introduced, referred to the Joint Committee on the Judiciary. 1/22/2019

[S 1205](#) would prohibit food establishments from dispensing food to customers in **disposable food service containers** made from **polystyrene**. It would also allow food establishments to apply to their local health

department for a one-year deferral of this requirement if they can show it would cause undue hardship, as defined.
Introduced, referred to the Joint Committee on Public Health. 1/22/2019

MINNESOTA

[HF 55](#) would require participants in the national school lunch program to adopt an **unpaid meals policy** and provide meals in a respectful manner.

Introduced, referred to the House Education Policy Committee. 1/14/2019

[HF 811](#) would create a state program administered by the Minnesota Department of Agriculture (MDA) to encourage **farm-to-school** sales of certain foods. The program would reimburse participating public and private schools, school districts, and child care centers for a portion of their costs to acquire Minnesota grown unprocessed or minimally-processed foods, as defined.

Introduced, referred to the House Agriculture & Food Finance & Policy Division. 2/7/2019

[HF 1037](#) would provide **incentives** for school districts to offer **breakfast** for all students in a flexible manner once the school day has started and denotes these meals as “Breakfast after the Bell.”

Introduced, referred to the House Education Finance Division. 2/11/2019

[SF 411](#) would require participants in the national school lunch program to adopt an **unpaid meals policy** and provide meals in a respectful manner.

Introduced, referred to the Senate E-12 Finance & Policy Committee. 1/24/2019

[SF 1346](#) would create a state program administered by the Minnesota Department of Agriculture (MDA) to encourage **farm-to-school** sales of certain foods. The program would reimburse participating public and private schools, school districts, and child care centers for a portion of their costs to acquire Minnesota grown unprocessed or minimally-processed foods, as defined.

Reported favorably from Senate Agriculture, Rural Development & Housing Policy Committee, referred to the Agriculture, Rural Development & Housing Finance Committee. 3/4/2019

[SF 1427](#) would provide **incentives** for school districts to offer **breakfast** for all students in a flexible manner once the school day has started and denotes these meals as “Breakfast after the Bell.”

Introduced, referred to the Senate E-12 Finance & Policy Committee. 2/18/2019

MISSOURI

[HB 618](#) would require schools to provide any student who requests a reimbursable meal which has been approved by the United States Department of Agriculture regardless of whether the student cannot pay for a meal or owes **unpaid meal debt**, unless the student's parent or guardian has provided written permission to withhold a meal. It also would prohibit schools from: requiring a student to throw a meal away because of inability to pay for the meal or because of a meal debt; publicly identify or stigmatizing a student who cannot pay for a meal or owes a meal debt; or requiring a student who cannot pay for a meal or owes a meal debt to do chores or additional work not required of other students. The bill would also require schools to determine if a student is eligible for free or Reduced Price meals if they owe money for five or more meals, and to direct communication about a student's meal debt to a parent or guardian, not the student. It also prohibits requiring parents or guardians to pay fees or costs from collection agencies hired to collect meal debts.

Introduced, read for the second time. 1/22/2019

[HB 627](#) would require schools to provide a United States Department of Agriculture reimbursable meal to any student who requests one regardless of whether the student cannot pay for a meal or owes **unpaid meal debt**, unless the student's parent or guardian has provided written permission to withhold a meal. Schools may not, require a student to throw a meal away because of inability to pay for the meal or because of a meal debt, nor may they publicly stigmatize or identify students. It also specifies that if a student owes money for five or more meals, the school must determine if the student is eligible for free meals, attempt to have the student's parent or guardian fill out a meal application, and contact the student's parent or guardian to offer assistance with a meal application. The bill would require schools to direct communication about a student's meal debt to a parent or guardian, not the student. Schools may not require a parent or guardian to pay fees or costs from collection agencies hired to collect meal debts.

Introduced, read for the second time. 1/23/2019

MONTANA

[HB 648](#) would establish a **state incentive program** to encourage the adoption of “proven and effective **breakfast service models**.” The program would provide \$0.05 for each breakfast served at qualifying schools that increase breakfast participation.

Tabled in the House Education Committee. 3/27/2019

[HB 667](#) would establish a **farm to school** grant pilot program, administered by the Office of Public Instruction, to support the purchase of Montana-grown fruit, vegetables, meat, legumes, whole grains, eggs and dairy products for use in school nutrition programs and food-based, agriculture-based and garden-based educational projects.

Tabled in the House Education Committee. 3/27/2019

NEBRASKA

[LB 251](#) would create the Child Hunger and Workforce Readiness Act. The bill will provide students who are eligible for **Reduced Price** breakfasts or lunches at public schools participating in the National School Lunch Program and the School Breakfast Program under the federal Child Nutrition Act of 1966 with meals **at no cost**.

Introduced, referred to the Education Committee. 1/16/2019

[LB 728](#) would require the Nebraska Department of Education to create and disseminate a **uniform meal charge policy** that school districts may implement. This policy shall include, but not be limited to the following: each student shall be served a reimbursable meal regardless of accrued meal debt or ability to pay; require school districts to communicate with a parent or guardian to address outstanding debt, rather than communicate through the student; a school shall not discard any school meal after it is served to a student on the basis that the student is unable to pay for the meal or has school meal debt; encourage schools to certify students eligible for free or Reduced Price lunch and have them apply; schools shall evaluate unpaid meal charge collection policies and consider whether collection is appropriate based on income and family circumstances. The bill also permits the Department to include additional school meal charge policies.

Introduced, referred to the Education Committee. 1/25/2019

NEVADA

[SB 458](#) would make an appropriation to support **school garden programs** in eligible Title I schools.

Introduced, referred to Senate Finance Committee. 3/25/2019

NEW HAMPSHIRE

[HB 558](#) would prohibit food service businesses from providing a **single-use plastic straw** to a customer unless specifically requested.

Passed the House, referred to the Senate Commerce Committee. 4/1/2019

[HB 560](#) would restrict the distribution of **single-use carryout bags** by stores and food service businesses.

Passed the House, referred to the Senate Commerce Committee. 4/1/2019

[SB 82](#) would require schools to make at least one free or reduced cost meal available to children who meet federal eligibility guidelines. The bill also directs the department of education to request an appropriation sufficient to provide a free breakfast to students eligible for reduced cost meals.

Reported "Ought to Pass" by the House Education Committee. 4/23/2019

NEW JERSEY

[A 4856](#) would require certain school meal information be provided to students' parents, establish protocols for identifying eligible students for meal programs and prohibit stigmatizing students with **unpaid meal debt**.

Introduced, referred to the Assembly Education Committee. 1/15/2019

NEW MEXICO

[HB 328](#) would appropriate \$350,000 for the purchase and distribution of **New Mexico-grown** fresh fruits and vegetables for school meal programs.

Action postponed indefinitely. 3/16/2019

[HM 15](#) declares January 24, 2019 "New Mexico Food and Farms and School Nutrition Day."

Approved by the House of Representatives. 1/24/2019

[SM 14](#) declares January 24, 2019 "New Mexico Food and Farms and School Nutrition Day."

Approved by the Senate. 1/24/2019

NEW YORK

[AB 162](#) would require the creation of a **food allergy** poster by the department of health, require the posting of such in all food service establishments and authorize the department to charge a fee to cover printing, postage and handling expenses of the posters.

Introduced, referred to the Assembly Consumer Affairs & Protection Committee. 1/9/2019

[AB 315](#) would require employers of retail, food service or cleaning employees to give such employees 7 days' notice of their **work schedule** and a month's notice of the minimum hours of work. It would also provide a private right of action to employees who are aggrieved by certain violations of such provisions.

Introduced, referred to the Assembly Labor Committee. 1/9/2019

[AB 325](#) would provide for rest between work shifts, and prohibit the **scheduling** of an employee to work the first ten hours following the end of the previous calendar day's work shift or on-call shift or the first ten hours following the end of a work shift or on-call shift that spanned two calendar days unless an employee consents or volunteers, in which case the employee shall be paid one and one-half times the regular rate of pay.

Introduced, referred to the Assembly Labor Committee. 1/9/2019

[AB 1027](#) would require **allergen awareness training** and certification within thirty days after hire date.
Introduced, referred to the Assembly Health Committee. 1/14/2019

[AB 1209](#) would create the New York **farm to school** and **school garden** fund and allow individuals to make a gift on their personal tax form for such fund. The fund would 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.
Introduced, referred to the Assembly Education Committee. 1/14/2019

[AB 1307](#) would require food service establishments to display a **food allergy** awareness poster in all staff areas and require the labeling of the eight major food allergens on all food service establishment or internet-based food delivery service menus or on a separate allergy menu.
Introduced, referred to the Assembly Consumer Affairs & Protection Committee. 1/14/2019

[AB 1547](#) would prohibit the use of **food service ware** that contains **polystyrene** foam by food service providers, including state departments, contractors, and lessees of the state, as well as restaurants and retail food vendors. This bill would require food service providers to use alternate products that are compostable or recyclable, unless no affordable alternative exists. The Department of Environmental Conservation would create a list of available, affordable compostable or recyclable products.
Introduced, referred to the Assembly Environmental Conservation Committee. 1/15/2019

[AB 1624](#) would require public schools to offer **plant-based food options** to a student upon request by a student or person in parental relation to the student.
Introduced, referred to the Assembly Education Committee. 1/16/2019

[AB 1647](#) would prohibit the use of **single use plastic foam containers** by restaurants, food service establishments and food vendors.
Introduced, referred to the Assembly Consumer Affairs & Protection Committee. 1/16/2019

[AB 2448](#) require that an employer, employing fifty or more employees in the state of New York in retail, food service or cleaning adhere to the Schedules That Work Act, which prohibits on-call **scheduling** and limits the ability of employers to require scheduled work hours to change without notice. It also provides for an employee to voluntarily be called in to work beyond their scheduled hours.
Introduced, referred to the Assembly Labor Committee. 1/22/2019

[AB 3433](#) would authorize the commissioner of education to establish the **school breakfast incentive program** to provide grants to eligible school buildings or programs that increase participation in the school breakfast program by removing barriers to participation.
Introduced, referred to the Assembly Education Committee. 1/29/2019

[AB 4321](#) would prohibit **single-use plastic straws** in state and municipal run food establishments.
Introduced, referred to the Assembly Environmental Conservation Committee. 2/4/2019

[AB 4603](#) would discourage the use of disposable **polystyrene foam food service** ware by any person or entity that has a contract with an agency or municipality, and to study the feasibility of a polystyrene foam food service ware ban in New York State.
Introduced, referred to the Assembly Environmental Conservation Committee. 2/4/2019

[AB 4788](#) would require that food service facilities operated by State agencies, municipalities, local education agencies, or their contractors or lessees prevent and divert **food waste** by participating in food donation and other

organics recovery programs.

Introduced, referred to the Assembly Environmental Conservation Committee. 2/5/2019

[AB 5110](#) would amend state law to require contracts for **food service management** to be awarded through a request for proposal procurement process, and include criteria such as quality, cost and nutrition.

Introduced, referred to the Assembly Education Committee. 2/7/2019

[AB 5322](#) would establish a comprehensive interdisciplinary program to combat childhood obesity. Among the changes in this omnibus bill, it amends state law regarding school lunch periods to require “ample **time to consume** lunch and to engage in physical exercise or recreation.”

Introduced, referred to the Assembly Agriculture Committee. 2/8/2019

[AB 5398](#) would prohibit the use of **food service ware** that contains **polystyrene** foam by food service providers, including state agencies and municipalities, and their contractors and lessees, as well as restaurants and retail food vendors.

Introduced, referred to the Assembly Environmental Conservation Committee. 2/11/2019

[AB 5753](#) would reduce plastic waste and pollution by banning the provision of **plastic carryout bags** and placing a ten-cent fee on paper carryout bags and reusable grocery bags, with the revenue directed to the state Environmental Protection Fund.

Introduced, referred to the Assembly Environmental Conservation Committee. 2/14/2019

[AB 5778](#) would require that all current school district employees be fingerprinted and have a criminal history record check.

Introduced, referred to the Assembly Education Committee. 2/19/2019

[AB 6733](#) would remove the limits on **local agricultural product** purchasing for local school boards from New York’s general municipal law.

Introduced, referred to the Assembly Education committee. 3/18/2019

[J 10](#) honors Kim Roll upon the occasion of her designation as recipient of the Outstanding Director of the Year Award by the New York School Nutrition Association.

Adopted by the Assembly. 1/23/2019

[SB 95](#) would reduce plastic waste and pollution by banning the provision of **plastic carryout bags** and placing a ten-cent fee on paper carryout bags and reusable grocery bags, with the revenue directed to the state Environmental Protection Fund.

Introduced, referred to the Senate Environmental Conservation Committee. 1/9/2019

[SB 252](#) would remove the limits on **local agricultural product** purchasing for local school boards from New York’s general municipal law.

Passed by the Senate, delivered to the Assembly and referred to the Local Governments Committee. 3/6/2019

[SB 1098](#) would require that food service facilities operated by State agencies, municipalities, local education agencies, or their contractors or lessees prevent and divert **food waste** by participating in food donation and other organics recovery programs.

Introduced, referred to the Senate Environmental Conservation Committee. 1/10/2019

[SB 1132](#) would require that an employer, employing fifty or more employees in the state of New York in retail, food service or cleaning adhere to the Schedules That Work Act, which prohibits on-call **scheduling** and limits the ability of employers to require scheduled work hours to change without notice. It also provides for an employee to voluntarily be called in to work beyond their scheduled hours.

Introduced, referred to the Senate Labor Committee. 1/11/2019

[SB 1432](#) would require food service establishments to display a **food allergy** awareness poster in all staff areas and require the labeling of the eight major food allergens on all food service establishment or internet-based food delivery service menus or on a separate allergy menu.

Introduced, referred to the Senate Health Committee. 1/14/2019

[SB 1472](#) would require public schools to offer **plant-based food options** to a student upon request by a student or person in parental relation to the student.

Introduced, referred to the Senate Education Committee. 1/15/2019

[SB 1644](#) require the display of information regarding **food allergies** and safety practices regarding cross contamination within food service establishments.

Introduced, referred to the Senate Health Committee. 1/15/2019

[SB 2307](#) would prohibit the use of **single use plastic foam containers** by restaurants, food service establishments and food vendors.

Introduced, referred to the Senate Consumer Protection Committee. 1/24/2019

[SB 2603](#) would prohibit the use of **food service ware** that contains **polystyrene** foam by food service providers, including state agencies and municipalities, and their contractors and lessees, as well as restaurants and retail food vendors. This bill would require food service providers to use alternate products that are compostable or recyclable.

Died in the Senate. 2/4/2019

[SB 3068](#) would prohibit the use of **food service ware** that contains **polystyrene** foam by food service providers, including state agencies and municipalities, and their contractors and lessees, as well as restaurants and retail food vendors. This bill would require food service providers to use alternate products that are compostable or recyclable.

Introduced, referred to the Senate Environmental Conservation Committee. 2/1/2019

[SB 3069](#) would discourage the use of disposable **polystyrene foam food service ware** by any person or entity that has a contract with an agency or municipality, and study the feasibility of a polystyrene foam food service ware ban in New York State.

Introduced, referred to the Senate Environmental Conservation Committee. 2/1/2019

[SB 3346](#) would amend the Labor Law by adding a new Title 2 to Article 5 to create a responsibility upon certain employers to provide employees with consistent and predictable **work schedules**.

Introduced, referred to the Senate Labor Committee. 2/5/2019

[SB 3804](#) would create the New York **Farm to School** and **School Garden** Fund, funded through voluntary contributions made via personal income tax returns, to support building school gardens and purchasing gardening equipment and educational materials to promote students' consumption of local products.

Introduced, referred to the Senate Finance Committee. 2/14/2019

NORTH CAROLINA

[SB 152](#) would restore the **sales tax** refund for local school administrative units.
Introduced, referred to the Senate Rules and Operations Committee. 2/27/2019

[SB 654](#) would require **charter schools** to include plans to provide transportation and food services in their application to the North Carolina State Board of Education. The bill specifies that charter schools “shall participate” in the National School Lunch Program (NSLP).
Introduced, referred to the Senate Rules and Operations Committee. 4/4/2019

NORTH DAKOTA

[SB 2250](#) would move receipt and distribution of free and reduced lunch grant funds from the Department of Commerce to the Superintendent of Public Instruction.
Failed to pass in the House. 3/19/2019

OKLAHOMA

[HB 2353](#) would require school districts to spend no less than sixty percent of its annual budget on instructional expenses and place requirements on schools spending less than that amount.
Introduced, referred to the House Common Education Committee. 2/5/2019

[SB 297](#) would allow school districts receiving certain food donations to implement a policy allowing a student to receive free meals if the student is otherwise unable to afford the meal.
Passed by the Senate, referred to the House. Reported favorably by the Rules Committee. 4/11/2019

OREGON

[HB 2579](#) would expand the types of entities that may receive **Farm-to-School** grants, establish a new competitive grant, direct ODE and specified partners to evaluate program outcomes and provide technical assistance, training, and resources, and would appropriate \$5 million from the General Fund.
Reported favorably by the House Agriculture & Land Use Committee, referred to the Ways and Means Committee. 4/4/2019

[HB 2759](#) would establish the School Breakfast and Lunch Reimbursement Account for reimbursing school districts that incur costs when providing breakfast and lunch, when the cost of those meals is not otherwise reimbursed.
Reported without recommendation by the House Education Committee, referred to the Student Success Committee. 4/17/2019

[HB 2760](#) would establish the Universal School Meal Account to reimburse school districts for USDA reimbursable meals, and for meals not reimbursed by state, federal, or other sources. The measure prioritizes the distribution of funds.
Reported favorably by the House Education Committee, referred to the Student Success Committee. 4/17/2019

[HB 2761](#) would allow school district to seek reimbursement for amounts incurred from providing school meals as required by state law. This bill would establish the School Meal Reimbursement Account for the purpose of making reimbursements.
Public hearing held before House Education Committee. 2/27/2019

[HB 2765](#) would require school districts make **breakfast** available at school sites **after the school day has started**. The measure would allow up to 15 minutes of time spent consuming breakfast to count as instructional time. *Reported favorably by the House Education Committee, referred to the Student Success Committee. 4/17/2019*

[HB 2883](#) would prohibit Oregon food vendors from using **polystyrene containers** in selling, offering for sale, serving, or dispensing prepared food to a member of the public. *Passed by the House, transferred to the Senate and referred to the Environment & Natural Resources Committee. 4/25/2019*

[SB 90](#) would prohibit food and beverage establishments from providing **single-use plastic straws** unless requested by a consumer. Drive-through customers may be offered a straw and convenience stores without adequate room behind a counter to store straws would be allowed to leave straws out for customers. *Passed by the Senate, transferred to the House. Public hearing held by the House Energy & Environment Committee. 4/25/2019*

PENNSYLVANIA

[HB 627](#) would prohibit food establishments from using **polystyrene food containers** and encourage the use of alternatives, such as paper or fiber containers that are more naturally biodegradable. *Introduced, referred to the House Environmental Resources & Energy Committee. 2/28/2019*

[HR 109](#) recognizes the week of March 4 through 8, 2019, as "National School Breakfast Week" in Pennsylvania. *Adopted by the House of Representatives. 3/11/2019*

RHODE ISLAND

[H 5100](#) would require **free lunches** to be provided for all elementary and secondary students attending public schools, to the extent state and federal funds are available. *Introduced, referred to the House Finance Committee. 1/10/2019*

[H 5314](#) would prohibit a food service establishment from providing a consumer with a **single-use plastic straw**, unless the consumer requests such a straw. The first and second violation of this statute would result in a notice of violation, and any subsequent violations would be punishable by a fine of twenty-five dollars (\$25.00), not to exceed three hundred dollars (\$300) annually. *Held for further study in the House Environment & Natural Resources Committee. 2/28/2019*

[H 5669](#) would require schools to comply with **composting and recycling** laws, would promote the **donation** of unspoiled nonperishable food by schools, would promote the selection of local food service companies for school food service contracts and the selection of vendors who recycle organic-waste at appropriate facilities, and would permit the use of **share tables** at all schools. *Held for further study in the House Health, Education & Welfare Committee. 3/27/2019*

[H 5671](#) would create the "Plastic Waste Reduction Act" designed to reduce the use of **plastic bags** by retail establishments by offering recyclable bag options and providing penalties for violations. *Held for further study in the House Environment & Natural Resources Committee. 3/21/2019*

[S 202](#) would prohibit a food service establishment from providing a consumer with a **single-use plastic straw**, unless the consumer requests such a straw. The first and second violation of this statute would result in a notice of violation, and any subsequent violations would be punishable by a fine of twenty-five dollars (\$25.00), not to exceed

three hundred dollars (\$300) annually.

Scheduled for consideration by the Senate Environment & Agriculture Committee. 4/26/2019

[S 268](#) would prohibit retail sales establishments from providing **plastic checkout bags** and all retail establishments from providing expanded **polystyrene disposable food containers** and would be enforced by municipal police departments or other municipal designees, with an opt out provision.

Held for further study in the Senate Environment & Agriculture Committee. 3/6/2019

[S 402](#) would require schools to comply with **composting and recycling** laws, would promote the **donation** of unspoiled nonperishable food by schools, would promote the selection of local food service companies for school food service contracts and the selection of vendors who recycle organic-waste at appropriate facilities, and would permit the use of **share tables** at all schools.

Held for further study in the Senate Education Committee. 4/3/2019

[S 410](#) would create the "Plastic Waste Reduction Act" designed to reduce the use of **plastic bags** by retail establishments by offering recyclable bag options and providing penalties for violations.

Held for further study in the Senate Environment & Agriculture Committee. 3/6/2019

[S 416](#) would require **free lunches** to be provided for all elementary and secondary students attending public schools, to the extent state and federal funds are available.

Introduced, referred to the Senate Finance Committee. 2/27/2019

SOUTH CAROLINA

[H 4170](#) proclaims March 4-8, 2019 as School Breakfast Week in the Palmetto State and encourages all citizens to recognize the efforts made by schools, their food service directors and cafeteria staff to ensure the health, safety and success of children.

Introduced and adopted. 3/7/2019

[S 625](#) recognizes March 4 through 8, 2019 as "School Breakfast Week" in South Carolina.

Introduced and adopted. 3/6/2019

TENNESSEE

[HB 827](#) would prohibit a school from taking certain actions against a student who cannot pay for a meal, or who owes **unpaid meal debt** and require schools to assist parents and guardians in obtaining free or Reduced Price meals for the parent's or guardian's eligible student.

Failed to pass in the K-12 Subcommittee of the House Education Committee. 3/6/2019

[HJR 149](#) urges the Department of Education to address the negative impacts on local education agencies, including the impact on free lunch programs, of recent legislation changing the method the Department uses to identify "at-risk" students.

Removed from the K-12 Subcommittee calendar. 3/27/2019

[SB 606](#) would prohibit a school from taking certain actions against a student who cannot pay for a meal, or who owes **unpaid meal debt** and require schools to assist parents and guardians in obtaining free or Reduced Price meals for the parent's or guardian's eligible student.

Introduced, referred to the Senate Education Committee. 2/7/2019

TEXAS

[HB 702](#) would create a voluntary program to recognize licensed before-school and after-school programs that promote healthy eating and physical activity.

Reported favorably by the House Human Service Committee, committee report distributed. 4/24/2019

[HB 1015](#) would amend the Health and Safety Code to require a food service establishment that has a designed or designated space for eating and that prepares a food item containing **peanuts or a peanut product** as an ingredient in the food item to post in a conspicuous place in the area of the establishment in which food is consumed or on the establishment's food menu a warning sign stating that the establishment prepares food items that contain peanut products. The bill requires the executive commissioner of the Health and Human Services Commission to adopt any rules necessary to implement that requirement.

Reported favorably by the House Public Health Committee, committee report distributed. 3/22/2019

[HB 1017](#) would amend the Education Code to require a public school district or open-enrollment charter school to require a campus in which 70 percent or more of the students attending the campus are eligible for enrollment in the national school lunch program of free or Reduced Price lunches to donate food to a nonprofit organization to be distributed to students at such a campus. The bill exempts a district from such a requirement if the applicable campus does not have a significant amount of surplus food to donate as determined by the district or donates food to an alternative program operated to address hunger issues in the district in which the campus is located. The bill applies beginning with the 2019-2020 school year.

Reported favorably by the House Public Education Committee, committee report distributed. 4/25/2019

[HB 2954](#) would prohibit school districts from publicly identifying a student with **unpaid meal debt** and requires them to collect money owed for meals in a way that does not stigmatize a student or cause embarrassment. It also establishes requirements for district's **meal charge policies**, requiring the district to take certain actions when a student's negative meal balance has exceeded certain thresholds and establishing actions permitted when attempted to collect unpaid meal debt.

Introduced, referred to the House Public Education Committee. 3/12/2019

[HB 3210](#) would amend the Agriculture Code to require the Texas Department of Agriculture (TDA) to distribute to school food authorities 24 cents per lunch served under the school lunch program less the amount of any other state funds paid in connection with the lunch. The distribution would only apply if at least 30 percent of the school food authority's total food costs for lunches were attributable to **food grown or harvested in Texas**.

Left pending in the House Agriculture & Livestock Committee. 4/1/2019

[HB 4056](#) would require school districts to adopt a policy requiring each campus to ensure that each student who eats a meal on campus is provided **adequate time to eat**, meaning at least 10 minutes to eat breakfast and 20 minutes to eat lunch. A district or school may not require a student to participate in any educational instruction or program during the minimum amount of eating time.

Introduced, referred to the House Public Education Committee. 3/21/2019

[HB 4094](#) would prohibit school districts from publicly identifying a student with **unpaid meal debt** and requires them to collect money owed for meals in a way that does not stigmatize a student or cause embarrassment. It also establishes requirements for district's **meal charge policies**, requiring the district to take certain actions when a student's negative meal balance has exceeded certain thresholds and establishing actions permitted when attempted to collect unpaid meal debt.

Reported favorably from the House Public Education Committee. 4/24/2019

[HB 4256](#) would require food service establishments to display a poster relating to **food allergen** awareness in areas primarily accessible to employees. The Department of State Health Services (DSHS) would be required to determine the form and content of the poster and post a sample of the poster on the agency's Internet website. The bill also requires the Health and Human Services Commission (HHSC) to develop rules by December 1, 2019. DSHS assumes that DSHS would develop rules for consideration by HHSC.

Reported favorably by the House Public Health Committee, committee report distributed. 4/22/2019

[SB 425](#) would require food service establishments to display a poster relating to **food allergen** awareness in an area of the establishment accessible primarily to employees of the establishment. It would require the Department of State Health Services to determine the form and content of the poster and post a sample poster on the department's website. The poster must include information regarding: (1) the risk of an allergic reaction; (2) the major food allergens, including milk, wheat, eggs, soy, shellfish, peanuts, tree nuts, and fish; and (3) methods for preventing cross-contamination in food preparation.

Introduced, referred to the Senate Health & Human Services Committee. 2/14/2019

[SB 1314](#) would prohibit school districts from publicly identifying a student with **unpaid meal debt** and requires them to collect money owed for meals in a way that does not stigmatize a student or cause embarrassment. It also establishes requirements for district's **meal charge policies**, requiring the district to take certain actions when a student's negative meal balance has exceeded certain thresholds and establishing actions permitted when attempted to collect unpaid meal debt. It would also require a study be conducted each odd numbered year determining which schools could provide universal lunch through the Community Eligibility Provision.

Introduced, referred to the Senate Education Committee. 3/7/2019

UTAH

[HB 426](#) would create a reimbursement for a local education agency student information system.

Not passed before the House adjourned. 3/14/2019

VERMONT

[H 74](#) would prohibit food service establishments from providing **carryout bags**, expanded **polystyrene food service products**, and **plastic straws** to customers.

Introduced, referred to the House Natural Resources, Fish & Wildlife Committee. 1/24/2019

[H 79](#) would provide that organizations administering or assisting the development of farm-to-school programs are eligible for grant assistance from the **Farm-to-School** Program at the Agency of Agriculture, Food and Markets.

Reported favorably by the Senate Committees on Agriculture and Appropriations. 4/30/2019

[H 409](#) would impose on each manufacturer of **single-use plastic bags** and **single-use plastic containers** a fee of \$0.10 per single-use carryout bag or per single-use container sold in or sold into the State. The fees would be deposited in the Clean Water Fund for the use of that Fund. The bill would also prohibit a food establishment from providing, distributing, or selling a **single-use plastic straw** to a consumer unless requested by the consumer.

Introduced, referred to the House Natural Resources, Fish & Wildlife Committee. 2/26/2019

[H 525](#) would make multiple miscellaneous amendments to agricultural subjects, including amending the eligibility provisions for **farm-to-school** grants to provide that organizations administering or assisting the development of farm-to-school programs are eligible for grant assistance from the Farm-to-School Program.

Passed by the House, transferred to the Senate and referred to the Agriculture Committee. 3/27/2019

[HCR 35](#) would designate February 6, 2019 as Farm-to-School Awareness Day at the State House.
Adopted by the House and Senate. 2/1/2019

[S 113](#) would prohibit food service establishments from providing **plastic carryout bags**, expanded **polystyrene food service products**, and **plastic straws** to customers. It also proposes to require the Agency of Natural Resources to convene a working group to assess the progress of municipal implementation of single-use carryout plastic bag bans. The working group would report back by January 15, 2020 with recommendations.
Passed by the Senate, transferred to the House and referred to the Natural Resources, Fish & Wildlife Committee. 4/5/2019

VIRGINIA

[HB 2400](#) would require each local school board that collects information to determine eligibility for participation in the School Breakfast Program or the National School Lunch Program administered by the U.S. Department of Agriculture to establish and post prominently on its website a **web-based application** for student participation in such program and to continue to provide a paper-based application. The bill permits any school board in establishing such an application to adopt the U.S. Department of Agriculture's Web-Based Prototype Application for Free and Reduced Price School Meals or to digitize its existing paper-based application.
Signed into law by the Governor. 3/5/2019

WASHINGTON

[HB 1204](#) would prohibit a producer of **plastic packaging**, beginning January 1, 2022, from selling, offering for sale, or distributing plastic packaging for use in the state unless the producer is participating in a plastic packaging stewardship organization with a plan approved by the department of ecology. Requires each producer, by June 1, 2021, to ensure that a plan is submitted on its behalf to the department of ecology by a stewardship organization. It exempts retailers that are not producers from the requirements of this act, allows the department of ecology to administratively impose a civil penalty on a person who violates this act in an amount of up to one thousand dollars per violation per day and creates the responsible plastic packaging stewardship account.
Public hearing held in the House Environment & Energy Committee. 2/7/2019

[HB 1272](#) would require the superintendent of public instruction to: designate six public schools as demonstration sites to implement and evaluate procedures to ensure that students have a lunch period that allows an **adequate amount of time** to obtain, sit down, and consume a meal; provide technical assistance to schools selected as demonstration sites; and award grants to school districts. It requires the Washington state school directors' association to adopt a model policy and procedure that school districts may use to ensure that students have an adequate amount of time to obtain, sit down, and consume their meal.
By resolution, returned by the Senate to House Rules Committee for third reading. 4/28/2019

[HB 1632](#) would prohibit a food service business from, effective July 1, 2030, selling or providing food in or with **plastic food service products** however, the business may sell or provide food in compostable food service products that meet standard specifications. Prohibits a retail establishment from, effective July 1, 2040, selling or providing plastic food service products, except for recyclable plastic beverage containers made from certain material. Authorizes the following to enforce the requirements of this act: A local health jurisdiction, a jurisdictional health department, a combined city-county health department, or a health district. Requires the department of health, in consultation with the department of social and health services, to seek the advice of community health groups, advocates for persons with disabilities, and other stakeholders to ensure that plastic straws or replacement products are available to individuals with disabilities. Prohibits a local government from implementing an ordinance

restricting plastic food service products applicable to food service businesses, beginning January 1, 2030; and retail establishments, beginning January 1, 2040.

Reported favorably by the House Environment & Energy Committee, referred to the Rules Committee. 2/22/2019

[HB 1685](#) would revise provisions on free or Reduced Price meals for students of families who need assistance to support effective implementation of the Hunger-Free Students' Bill of Rights Act of 2018.

Reported favorably by the House Education Committee, referred to the Appropriations Committee. 2/20/2019

[HB 1892](#) would provide state funding to eliminate the **Reduced Price student co-pay**.

Public hearing held in the House Appropriations Committee. 2/18/2019

[SB 5077](#) would prohibit the sale and distribution of **plastic beverage straws**. Requires the department of health and the department of social and health services to consult with community health groups, advocates for persons with disabilities, and other stakeholders to determine how to address the need for plastic straws by health care facilities and individuals with disabilities. Requires the local health jurisdiction, a jurisdictional health department, a combined city and county health department, or a health district to enforce this act.

By resolution, returned by the House to Senate Rules Committee for third reading. 4/28/2019

[SB 5397](#) would prohibit a producer of **plastic packaging**, beginning January 1, 2022, from selling, offering for sale, or distributing plastic packaging for use in the state unless the producer is participating in a plastic packaging stewardship organization with a plan approved by the department of ecology. Requires each producer, by June 1, 2021, to ensure that a plan is submitted on its behalf to the department of ecology by a stewardship organization. Exempts retailers that are not producers from the requirements of this act. Allows the department of ecology to administratively impose a civil penalty on a person who violates this act in an amount of up to one thousand dollars per violation per day. Creates the responsible plastic packaging stewardship account.

Passed by the Senate and House, delivered to the Governor. 4/25/2019

WEST VIRGINIA

[HB 2730](#) would **increase the compensation** of the membership of the State Police and the salaries for public school teachers and school service personnel, including food service staff.

Motion to discharge the bill from the Senate Education Committee rejected. 3/5/2019

[HB 2778](#) would require that school nutrition plans include **take home meals** for low income students or any student who requests take home meals.

Introduced, referred to the House Education Committee. 1/30/2019

[HB 2794](#) would establish the **Summer Feeding** for All initiative that will encourage county school systems to look for innovative ways to provide assistance to students in need to access nutritious foods during summer break and other times when school is not in session; requiring each county school board to conduct an assessment of the availability of food to students to determine what food insecurities exist in the student population; directing each county school board compile and distribute a list of existing food providers in the community that will provide nutritious food to children with food insecurities on nonschool days; and directing the Office of Child Nutrition to help facilitate county school boards coordinate and develop the public policy initiative of Feed to Achieve.

Introduced, referred to the House Education Committee. 1/31/2019

[HB 2874](#) would **increase the compensation** of the West Virginia State Police, public school teachers and school service personnel, including food service staff.

Introduced, referred to the House Education Committee. 2/6/2019

[HB 3128](#) would change the minimum ratio of school cooks to one cook for every 110 meals prepared and served.
Reported favorably from the House Education Committee, referred to the Finance Committee. 2/19/2019

[SB 14](#) would create the West Virginia **Farm-to-School** Grant Program. The bill creates the fund, provides a method for allocating grants, authorizes rulemaking and requires program review and reports.
Reported favorably by the House Agriculture & Natural Resources Committee, referred to the Finance Committee. 2/27/2019

[SB 445](#) would **increase the compensation** of the membership of the State Police and the salaries for public school teachers and school service personnel, including food service staff.
Introduced, referred to the Senate Finance Committee. 1/28/2019

WISCONSIN

[AB 84](#) would require certain schools to provide a school lunch or breakfast to a pupil who requests such a meal and prohibit those schools from taking certain actions against a pupil who is unable to pay for those meals or has **unpaid meal debt**. It would require those schools to provide information and take certain actions related to applications for free or Reduced Price meals.
Introduced, referred to the Assembly Education Committee. 3/19/2019