



Feeding Bodies. Fueling Minds.™

## 2016 State Legislative Summary: January 1 through November 30

Most legislatures are adjourned until 2017 except for Ohio, New Jersey and Massachusetts, which remain in session year-round.

**70 child nutrition bills were considered in State legislatures between January and November of 2016. Of the 70 bills considered, 10 were signed into law.**

Though 27 States allow bills to be carried over into the next year's session, in the interest of remaining efficient, almost all States only allow this process into odd-numbered years. Many child nutrition issues addressed in 2016 bills will have to be reintroduced as new in 2017.

### 2017 State Legislation Profiles

14 states have already filed 2017 bills. This process is called Prefiling and is a method allowing legislators to increase their chances of having a bill reach a committee and be considered for a vote. As of November, there are two prefiled child nutrition bills.

#### TEXAS

[HB 168](#)

Filed 11/14/2016

Creates a voluntary program to recognize licensed before-school and after-school programs that promote healthy eating and physical activity.

#### NEW JERSEY

[SB 3](#)

Filed 11/15/2016

Revises current Breakfast After the Bell Program law removing requirement for a 10% free-reduced participation increase each year. Instead, requires that schools must maintain free-reduced breakfast participation or communicate a plan to address the decline in participation.

### 2016 State Legislation Trends















Though many bills were considered in the States, there were three issues that clearly stood out as top trends in 2016.

**Competitive Foods:** Most bills aimed to align state standards with Federal Smart Snacks in School standards.

**Breakfast:** Expansion of breakfast programs and encouragement to adopt alternative breakfast models including Breakfast in the Classroom, Breakfast After the Bell, and Grab N' Go.

**Farm to School:** Expansion, funding, and encouragement of the purchase of local fresh fruits and vegetables.

## Summary and Status of State Legislation January - November 2016

	Active		Paused		Dead		Law		Resolution
 Introduced/ 1 <sup>st</sup> Reading  Referred to Committee  Passed Cmte. 1 <sup>st</sup> Chamber  Passed 1 <sup>st</sup> Chamber  Passed Cmte. 2 <sup>nd</sup> Chamber					 Passed 2 <sup>nd</sup> Chamber  Conference  Passed Legislature  Signed/Enacted				

### ALASKA

Legislation carries over only into even-numbered years.

#### [HCR 18](#)



Introduced 02/03/2016

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

### CALIFORNIA

Legislation carries over only into even-numbered years.

#### [SB 1169](#)



*Signed by Governor 9/9/2016.*

Introduced 02/18/2016

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

### COLORADO

No carryovers.

#### [HB 1463](#)



Introduced 05/03/2016

This bill allows a public school with at least 70% of students, but fewer than 80% of students, free/reduced to **charge for breakfast after the bell** for those students who are not eligible for free and reduced-price lunch. A school that charges for breakfast after the bell must do so in a way that does not create an obvious distinction between paying students and those receiving a free breakfast.

## CONNECTICUT

No carryovers.

### [HB 5303](#)



Introduced 2/18/2016

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

### [SB 76](#)



*Signed by Governor on 5/27/2016.*

Introduced 02/10/2016

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

## DELWARE

Legislation carries over only into even-numbered years.

### [HB 408](#)



*Signed by Governor on 9/14/2016.*

Introduced 6/7/2016

Requires that no later than school year 2017-2018, all public school sites, including charter school sites, that participate in the Community Eligibility Program **offer breakfast through an alternative service model(s)**, which may include, but not be limited to, Breakfast in the Classroom, Grab and Go Breakfast, or Second Chance Breakfast.

## HAWAII

Carryovers allowed into even-numbered years if the bill has had at least one reading.

### [HB 627](#)



Introduced 1/23/2015 *Adjourned. Carried over from 2015 - no action taken in 2016.*

Establishes the Hawaii **Farm to School** Program and two Farm to School Coordinator Positions.

### [HB 2132 / SB 2426](#)



Introduced 1/22/2016

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

### [SR 96](#)



*Resolution Adopted by Senate*

Introduced 3/11/2016

A Senate resolution designating the month of October as **Farm to School** month.

**ILLINOIS**

Legislation carries over only into even-numbered years.

[SB 2393](#)



*Became a Public Act 8/19/2016.*

Introduced 4/4/2016

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

**KENTUCKY**

No carryovers.

[HJR 115 / SJR 114](#)



Introduced 2/8/2016

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

**MASSACHUSETTES**

Legislation carries over only into even-numbered years.

[HB 429/SB 94](#)



Introduced 1/20/2015

Primarily ensures homeless families no longer receive homeless services 6 months after they are no longer homeless. An amendment reduces costs and barriers to the **Child and Adult Care Food Program** and increases outreach in order to increase participation.

[HB 2782](#)



*Signed by Governor 9/21/2016*

Introduced 1/9/2015

Establishes Massachusetts **Farm to School** Month and commends farm to school programs.

[HB 4409](#)



3-year pilot program for up to 1 school per calendar year for public elementary and secondary schools with the purpose of **updating school kitchens** for fresh food preparations.

**MARYLAND**

No carryovers.

[SB 756 / HB1360](#)



Introduced 2/8/2016

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

[SB 755 / HB 1325](#)



Introduced 2/5/2016

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

**MISSOURI**

No carryovers.

[HB 1747/ SB878](#)



Introduced 1/06/2016

**Changes the Farm-to-School Act to the Farm-to-Table Act and extends the program to all institutions**, rather than just schools. Institutions encompasses facilities such as schools, correctional facilities, hospitals, nursing homes and military bases.

[HB 1954](#)



Introduced 1/06/2016

Aligns State standards with the Federal **Smart Snacks Nutrition Standards**.

**MISSISSIPPI**

No carryovers.

[HB 71](#)



Introduced 2/6/2016

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

[HB 1036](#)



Introduced 2/8/2016

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

**NEW HAMPSHIRE**

Carryovers allowed into even numbered years. If legislation was deemed inexpedient to legislate it would not carry over.

[SB371](#)



*Signed by Governor 5/3/2016*

Introduced 1/6/2016

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

[SB372](#)



Introduced 1/6/2016

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

**NEW JERSEY**

Legislation carries over only into odd-numbered years.

[A1453](#)



*Sleeping in Committee. May be carried over.*

Introduced 1/27/2016

Requires school districts with any middle or high schools to establish a **food services advisory committee** that will consider culture, traditional, and dietary preferences in menu choices.

[A1462](#)



*Sleeping in Committee. May be carried over.*

Introduced 1/27/2016

Establishes a **school breakfast kiosk** pilot program.

[A1657](#)



*Veto*

Introduced 1/27/2016

Establishes a **Breakfast After the Bell** incentive fund.

[A3056](#)



*Sleeping in Committee. May be carried over.*

Introduced 2/16/2016

Requires Dept. of Agriculture to develop voluntary guidelines to encourage school districts to **donate excess food.** Extends "Food Bank Good Samaritan Act" protections to school districts.

[A3060/S2123](#)

  *Sleeping in Committee. May be carried over.*

Introduced 2/16/2016

Allows qualified school to be called “**New Jersey Farm Fresh School**”

[A3061](#)

  *Sleeping in Committee. May be carried over.*

Permits schools participating in NJ “Farm to School” program to **submit a recipe for posting** on Dept. of Agriculture website.

[A3444/S2113](#)

  *Sleeping in Committee. May be carried over.*

Introduced 3/7/2016

Encourages school to adopt “**The Smarter Lunchroom**” strategies.

[S741](#)

  *Sleeping in Committee. May be carried over.*

Expands **school breakfast programs** to all schools with 5% or more of students eligible for free and reduced meals.

[A3058](#)

  *Sleeping in Committee. May be carried over.*

Introduced 2/16/2016

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

[S2819](#)

  *Sleeping in Committee. May be carried over.*

Creates “**Nourishing Young Minds Initiative Fund**” to help pay for child food and nutrition programs.

**NEW MEXICO**

No carryovers.

[HB115/HB189](#)

Introduced 1/21/2016

Making an appropriation to provide **New Mexico-grown fresh fruits and vegetables** for school meals.

[SB144](#)

  *Effective 9/14/2016*

Introduced 1/21/2016

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

## NEW YORK

Legislation carries over only into even-numbered years.

### [A4540](#)



Introduced 2/3/2016

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

### [SB3248](#)



Introduced 1/21/2016

To amend the municipal law, in relation to the **purchase of local food products by school districts**.

### [AB 9977](#)



Introduced 05/02/2016

An act to amend the education law, in relation to establishing nutrition standards for **competitive foods** and beverages sold or provided in public schools.

### [AB 10479/S07706](#)



Introduced 05/31/2016)

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

## OHIO

Legislation carries over only into even-numbered years.

### [SB247](#)



Requires school districts to **allow approved summer food service program sponsors to use school facilities** to provide food service or summer intervention services under certain conditions.

## OKLAHOMA

Legislation carries over only into even-numbered years.

### [SB1357](#)



*Approved by Governor 5/20/2016*

**Establishing a Food Service Advisory Council** and specifying that a School Nutrition Association member shall have a seat in the council.



## PENNSYLVANIA

Legislation carries over only into even-numbered years.

[HR758](#)



*Resolution Adopted by Senate*

Resolution recognizing the week of March 7 through 11, 2016 as “National School Breakfast Week.”

## RHODE ISLAND

Legislation carries over only into even-numbered years.

[HB. 7487 / S 2673](#)



Introduced 2/5/2016

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

[HB. 7657/S 2757](#)



*Signed by Governor 8/11/2016*

Introduced 2/24/2016

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

## SOUTH CAROLINA

Legislation carries over only into even-numbered years.

[H4467](#)



Requiring that **students eligible for free and reduced price lunches are offered the same choice of meals** as students paying full price.

[S484](#)

Introduced 2/25/2015



*Signed by Governor 6/5/2016*

Requiring that all kindergarten through twelfth grade **school meals and competitive foods must meet or exceed Federal nutritional requirements.**

## VERMONT

Legislation carries over only into even-numbered years.

[H827](#)




Establishes a **universal meals pilot project under the Farm-to-School program.**

## VIRGINIA

Legislation carries over only into odd-numbered years.

### [HJ 83/S 202](#)

 *House recommended to strike. Left in Rules.*

Introduced 1/13/2016

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

## WASHINGTON

Legislation carries over only into even-numbered years.

### [HB 2964](#)



Introduced 2/2/2016

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

## WEST VIRGINIA

House bills only may be carried over into even-numbered years. A special request must be submitted by the sponsor and approved by the Clerk of the House.

### [HB 2112](#)



Introduced 1/13/2016

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

### [SB 75](#)



Introduced 1/13/2016

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

### [HB 2510](#)



Introduced 1/13/2016

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

### [HB 2250](#)



Introduced 1/23/2016

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