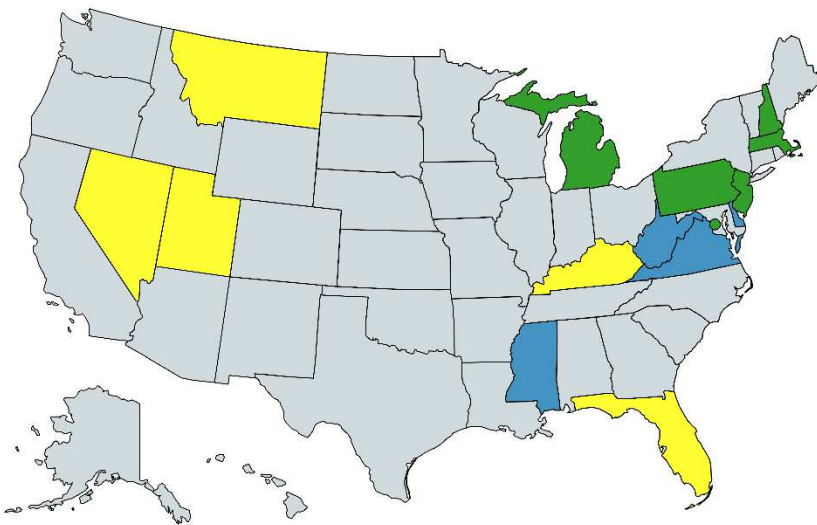




# 2018 STATE LEGISLATIVE SUMMARY: THIRD QUARTER REPORT

*This report is a summary of key school nutrition state legislation that changed status between July 1 and September 30, 2018. 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](mailto:advocacy@schoolnutrition.org).*

## LEGISLATIVE SESSIONS (AS OF SEPTEMBER 21, 2018)



### ADJOURNED

- Alabama
- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Georgia
- Hawaii
- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Louisiana
- Maine
- Maryland
- Minnesota
- Missouri
- Nebraska
- New Mexico
- New York
- North Carolina
- North Dakota
- Ohio
- Oklahoma
- Oregon
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Vermont
- Washington
- Wisconsin
- Wyoming

■ Convened ■ Special Session ■ Prefiled Bills

## TREND WATCH

**Since July 2018, five school nutrition bills have been signed into law:**

- Four of the bills were in California:
  - AB 1871 in California requires charter schools to provide one nutritionally adequate free or reduced price meal to every student who would be eligible under the National School Lunch Program.
  - AB 1974 regulates debt owed to a school or school districts (including school meals programs) by public school students.
  - AB 2271 provides a matching state grant to schools awarded a federal equipment grant through the National School Lunch Program.
  - AB 3043 allows schools to use cafeteria funds to provide universal breakfast.
- SB 2428 in Illinois requires a reimbursable meal to be served to any student who requests one, regardless of unpaid meal debt or ability to pay, and establishes requirements related to collection activities.

## **Top Trend: Unpaid Meals**

With the passage of SB 2428, **Illinois becomes the ninth state to enact an unpaid meals law**. Unique to Illinois is a provision within the bill allowing school districts to seek an offset from the Illinois Comptroller for accounts that are in arrears by \$500 or more. Under Illinois' State Comptroller Act, an offset is a collection tool that intercepts state payments to individuals to settle account balances, such as state income tax refunds.

## SUMMARY AND STATUS OF LEGISLATION

### CALIFORNIA

[AB 1871](#) requires **charter schools** that use classroom-based instruction, beginning in the 2019-20 school year, to provide each needy pupil with one nutritionally adequate free or reduced price meal during each school day.

*Signed into law by the Governor 9/18/2018*

[AB 1974](#) provides that a public school student can never owe or be billed for debt owed to a school or school district. Prohibits schools or districts from taking negative actions against a student or former student based on **unpaid meal debt**. Requires educational entities to provide a receipt to parents/guardians for meal debt incurred by students. Prohibits debt collection agencies contracted by educational entities from reporting debt owed by a parent/guardian to a credit reporting agency.

*Signed into law by the Governor 9/20/2018*

[AB 2271](#) requires the State Department of Education to provide a matching **state grant** of up to \$100,000 to a school food authority participating in the National School Lunch Program that applies for and is awarded a federal Equipment Assistance Grant for School Food Authorities. Authorizes a school food authority to use the federal and state grants for up to five individual school sites or to combine the grants for one purpose.

*Signed into law by the Governor 9/23/2018*

[AB 2360](#) requires the State Department of Education to collaborate with the Department of Food and Agriculture and its Office of Farm to Fork to develop and promote best practices for school districts to create **partnerships with food banks** that increase student access to fresh produce and healthy foods.

*Sent to the Governor 9/5/2018*

[AB 3043](#) allows schools to use their cafeteria funds to offer **Universal Breakfast** as well as purchase food trucks to provide additional points of service. Increases the **School Breakfast Program** and **Summer Food Service Program** Start-up and Expansion Grants from \$15,000 to \$30,000 per school site.

*Signed into law by the Governor 9/23/2018*

### DISTRICT OF COLUMBIA

[B22-0903](#) requires the Mayor to operate a **self-operated school food service** pilot program in ten District of Columbia public schools during the 2020 to 2022 school years. The bill also requires the Mayor to provide the Council a report on food services at all public schools within 3 months of the end of the pilot program.

*Introduced, referred to the Committee on Education 7/10/2018*

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## ILLINOIS

[SB 2428](#) creates the Hunger-Free Students' Bill of Rights Act. Provides that every school in the state shall provide a federally reimbursable lunch to a student of that school who requests the lunch, regardless of whether the student can pay for the lunch or has **unpaid meal debt**. Provides that if a student owes money for 5 or more lunches, a school shall reach out to the parent or guardian of the student to attempt collection of the unpaid meal debt and to request that the parent or guardian enroll the student in a free or reduced price lunch program. Provides that a school may not publicly identify or stigmatize a student with unpaid meal debt. Effective immediately.

*Signed by the Governor. Becomes Public Act 100-1092 8/26/2018*

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## MASSACHUSETTS

[S 2441](#) requires all public schools that are required to serve breakfast – those where at least sixty percent or more students are eligible for free or reduced price meals – to offer all students **breakfast after the instructional day has begun**. Allows each school to determine the best service model for their students. Classifies student time spent consuming breakfast while instruction is being provided as instructional time for reporting purposes.

*Substituted for a new draft, See S 2626 7/26/2018*

[S 2626](#) requires all public schools that are required to serve breakfast – those where at least sixty percent or more students are eligible for free or reduced price meals – to offer all students **breakfast after the instructional day has begun**. Allows each school to determine the best service model for their students. Classifies student time spent consuming breakfast while instruction is being provided as instructional time for reporting purposes.

*Passed the Senate. Referred to the House Committee on Ways and Means 7/27/2018*

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## MAINE

[LD 816](#) provides **state funding** for the student share of reimbursable **reduced price** school meals under the National School Lunch Program.

*Died when the Senate adjourned sine die 9/13/2018*

[LD 1684](#) requires school districts to provide a reimbursable meal to all students who requests one, regardless of ability to pay or **unpaid meal debt**. Prohibits the identification or stigmatization of students who cannot pay for a meal and/or have unpaid meal debt. Requires communication about unpaid meal debts be directed to a parent or guardian, rather than the student. Requires that school boards establish a policy for unpaid meal debt.

*Died when the Senate adjourned sine die 9/13/2018*

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## MICHIGAN

[SB 1078](#) requires school districts to serve a reimbursable meal to all students and prohibits the public identification or stigmatization of a student with **meal debt** or who cannot pay for a meal. The bill would also prohibit charging collection fees or costs, requiring a student to perform chores to pay off a debt or discarding a meal that's been served to a student.

*Introduced, referred to the Senate Committee on Education 9/5/2018*

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## NEW JERSEY

[A4360](#) provides **anti-stigmatization** protections to public school student whose school breakfast or school lunch bill is in arrears and requires school district to communicate about arrearages to parent and not to student.

*Introduced, referred to the Assembly Education Committee 9/13/2018*

[A4396](#) requires the state Department of Agriculture to increase participation in school meal programs through a **marketing campaign**.

*Introduced, referred to the Assembly Agriculture and Natural Resources Committee 9/13/2018*

[S2886](#) provides **anti-stigmatization** protections to public school student whose school breakfast or school lunch bill is in arrears and requires school district to communicate about arrearages to parent and not to student.

*Introduced, referred to the Senate Education Committee 8/27/2018*