



2022 STATE LEGISLATIVE SUMMARY: FIRST QUARTER REPORT

This report is a summary of key school nutrition state legislation that was introduced between January 1 and March 31, 2022. 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.

California

- [AB 1948](#) makes changes to student category classification for purposes of local control funding formula. The category of students eligible for free or reduced-price meals would be replaced with low-income students and students experiencing homelessness, as defined by this measure, in the categories of students who are unduplicated students. Students who are English learners or are low-income students, or both of these categories, will only be counted once. Students who are homeless, in foster care or both, or who are also English learners or low-income students will be counted twice. The imposition of additional duties on county superintendents of schools, school districts, and charter schools related to unduplicated students would impose a state-mandated local program.
Re-referred to Committee on Education 3/08/2022.
- [SB 1481](#) extends the state's Universal Meals Program to state licensed day care providers. This measure states that all meals will be reimbursed if they comply with federal nutrition standards. The Universal Meals Program was approved on July 9, 2021 and will be implemented in school year 2022-23.
Hearing scheduled for April 19, 2022, 4/04/2022.
- [SCR 81](#) proclaims March 7 to March 11, 2022, as School Breakfast Week and recognize the importance of school nutrition programs and school nutrition staff in addressing the needs of the students.
Chaptered by Secretary of State. Res. Chapter 32, Statutes of 2022, 4/04/2022.

Colorado

- [SB 087](#) reimburses schools for meals provided to students who are not eligible for free or reduced-price meals under federal meals programs. This bill would be effective for budget year 2023-24, subject to Colorado being selected to participate in the federal demonstration project to use Medicaid eligibility to identify students who are eligible for the federal school meals programs.
Senate Committee on Education referred amended to Appropriations 3/17/2022.
- [HB 1334](#) amends the current statute regarding administrative fees for commodities. Under Colorado law, the department of human services may charge a monthly administrative fee to an agency that receives commodities

through a food distribution program. This bill allows the state department to collect an administrative fee at least once every calendar year or when an agency's account balance reaches \$100 or more.

Senate Committee on Appropriations referred unamended to Senate Committee of the Whole 4/05/2022.

Hawaii

- [SCR 171](#) urges the Department of Education and State Public Charter School Commission to prioritize the hiring of dedicated staff to manage federal school meal programs.

Referred to Senate Committee on Education and Senate Committee on Finance 4/04/2022.

- [SR 163](#) urges the Department of Education and State Public Charter School Commission to prioritize the hiring of dedicated staff to manage federal school meal programs.

Reported favorably from Committee on Education and adopted 3/31/2022.

Illinois

- [HR 615](#) urges the United States Congress to provide flexibility and accessibility provisions to several nutrition programs, including the summer meals program. It also calls on Congress to expand CEP, among other provisions. Resolution Adopted 3/17/2022.

- [HB 4813](#) exempts from contract bidding requirements contracts for goods, services, or management in the operation of a school's food service, including a school that participates in any USDA child nutrition programs.

Senate Floor Amendment No. 2 Motion to Concur Recommends Be Adopted 4/6/2022.

Kentucky

- [HB 80](#) requires the Kentucky Department of Education to cover any costs associated with the School Breakfast Program and the National School Lunch Program not reimbursed by federal funds.

Introduced 1/4/2022.

- [HB 435](#) or [SB 151](#) amends the current statute to provide children the opportunity to eat breakfast in the classroom during instructional time and expands decision making authority of this matter.

Signed into law by Governor 3/29/2022.

- [House Floor Amendment 5 to HB 9](#) requires public charter schools to provide food programs to free and reduced-price qualifying students similar to the National School Lunch Program.

Delivered to Governor 3/29/2022.

Maryland

- [HB 857](#) or [SB 971](#) requires eligible schools that receive a per pupil grant under the Concentration of Poverty Grant Program to provide students with free lunch.

HB 857 hearing scheduled 3/03/2022.

SB 971 hearing scheduled 3/15/2022.

Massachusetts

- [S 2781](#) prohibits the advertising of “non-compliant beverages.” The bill defines “non-compliant beverage” as beverages that do not meet the minimum nutrition standards for foods sold or served under school meal programs established by the U.S. Department of Agriculture under the Healthy, Hunger-Free Kids Act of 2010 and federal regulations implementing the Act. The bill also requires the department of elementary and secondary education to implement instruction in media literacy skills from the third grade to the twelfth grade so students can learn to analyze and assess advertising content for food, beverages, drugs and alcohol.

Reported favorably by Committee on Public Health and referred to the Senate Committee on Ways and Means 3/24/2022.

Minnesota

- [SF 4113](#) or [HF 4300](#) or require schools that participate in the National School Lunch Program to provide free lunches to all enrolled students. Schools with an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the Community Eligibility Provision. The state would also have to fund the difference between the federal reimbursement and the average cost of a school meal.

SF 4113 Referred to Education Finance and Policy 3/17/2022.

HF 4300 Author added - Representative Samantha Vang 3/31/2022.

Missouri

- [HB 2433](#) requires schools that participate in the National School Lunch Program or School Breakfast Program to serve reimbursable meals to students who request them.

Read second time 1/13/2022.

Nebraska

- [LB117](#) provides free breakfast and lunch to all Nebraska students.

Title printed. Carryover bill 1/05/2022.

New Hampshire

- [HB 1657](#) to establish a farm to school reimbursement program. This program would reimburse schools the cost of food purchases made from New Hampshire and New England farms. The bill also stipulates the criteria for eligible food categories and administrative processes. Eligibility is exclusive to school districts participating in the National School Lunch Program.

Dead. Inexpedient to Legislate 2/16/2022.

- [HB 1058](#) to provide public school students a period of 30 minutes to eat lunch.
Dead. Inexpedient to Legislate 2/16/2022.

New Jersey

- [S 1343](#) or [A 3249](#) expands school breakfast program to all schools with five percent or more of students eligible for free or reduced price meals.
S 1343 introduced in the Senate, referred to Senate Education Committee 2/3/2022.
A 3249 introduced, referred to Assembly Agriculture and Food Security Committee 3/7/2022.
- [S 1222](#) or [A811](#) directs the Department of Agriculture to implement online applications for the National School Lunch Program and School Breakfast Program.
S 1222 introduced in the Senate, Referred to Senate Education Committee 2/3/2022.
A 811 introduced, Referred to Assembly Education Committee 1/11/2022.
- [S 1508](#) amends the current statute to require all school districts to provide free meals to all students enrolled in school, regardless of federal eligibility requirements. The bill also states that the State will be responsible for the cost of school lunches for students deemed ineligible.
Transferred to Senate Education Committee from Senate Environment and Energy Committee 3/8/2022.
- [A 2368](#) or [S 1677](#) requires schools to offer free breakfast and lunch to students from working class and middle-income families, regardless of the percentage of students at the school that meet federal eligibility requirements. This bill also requires schools to provide school meals to middle-income students through the Breakfast After the Bell program or an emergency meals distribution program.
A 2368 reported favorably from the Assembly Agriculture and Food Security Committee and referred to Assembly Budget Committee 2/14/2022.
S 1677 reported from Senate Education Committee, 2nd reading and referred to Senate Budget and Appropriations Committee 3/7/2022.
- [S 1661](#) or [A 1822](#) to assist students with school meal bills in arrears. This legislation requires school districts to institute a "School Meal Fund."
S 1661 introduced in the Senate, referred to Senate Education Committee 2/14/2022.
A 1822 reported favorably from Assembly Education Committee and referred to Assembly State and Local Government Committee 3/10/2022.
- [A 3528](#) requires school districts with middle schools or high schools to establish a food services advisory committee to consider menu options that reflect students' cultural, traditional, and dietary preferences.
Introduced and referred to Assembly Education Committee 3/08/2022.
- [S 2322](#) require the U.S. Department of Agriculture to design and implement the "breakfast after the bell" incentive fund. This fund will provide a 10-cent per breakfast supplement to the existing federal reimbursement to a public school district with schools that: participate in the federal school breakfast program; serve "breakfast after the bell;" and have 20 percent or more of its students eligible for free or reduced-price breakfast.

Introduced in the Senate and referred to the Senate Education Committee 3/21/2022.

- [SR 80](#) urges schools to implement share tables to reduce food waste and help alleviate food insecurity. *Introduced in the Senate and referred to Senate Environment and Energy Committee 3/24/2022.*

New York

- [A301](#) to amend the education law to require public schools to offer plant-based food options, upon request by a student or person in a parental relation with a student. *Referred to Education Committee 1/06/2022.*
- [A 9518](#) requires schools that participate in the National School Lunch Program or School Breakfast Program to serve breakfast and lunch at no cost to students. *Referred to Committee on Education 3/16/2022.*

Oklahoma

- [SB 1624](#) designates the Board of Agriculture as the State Educational Agency. This bill assigns it oversight responsibility of the National School Lunch Act, as well as the implementer and administrator of all federal child nutrition programs administered by the State Board of Education. This bill also states that the Board of Agriculture shall apportion appropriations funds to school districts to ensure the provision of meals for children, in compliance with the National School Lunch Act, the Child Nutrition Act of 1966, and Public Law 91-248. *Referred to House Committee on Common Education 3/28/2022.*

Pennsylvania

- [HR 185](#) urges the U.S. Congress to reauthorize the U.S. Secretary of Agriculture to issue school food program waivers. *Referred to Agriculture and Rural Affairs Committee 3/22/2022.*

South Carolina

- [H 5074](#) creates the “Child Food and Nutrition Services Study Committee,” with the intention of making recommendations for transferring some federal child food and nutrition programs in the state to the Department of Agriculture. *Referred to Senate Committee on Agriculture and Natural Resources 4/6/2022.*

Tennessee

- [SB 1897](#) or [HB 1744](#) requires school boards to establish a free school lunch and breakfast program in their jurisdiction. Meals would be provided free of cost to students enrolled in a school under the board’s jurisdiction. The state is required to reimburse each local education agency the cost of providing free breakfast and lunch after all federal funding has been applied.

SB 1897 passed on Second Consideration, referred to Senate Education Committee 1/27/2022.

HB 1744 Placed on cal. Education Administration for 4/6/2022 on 3/30/2022.

Virginia

- [HB 587](#) requires public elementary and secondary schools to process applications for the School Breakfast and National School Lunch Program within five working days.

Sent to Governor to be signed into law 3/22/2022. Governor's Action Deadline 11:59 p.m., April 11, 2022.

Washington

- [SB 5798](#) or [HB 1878](#) increases public school participation in the community eligibility provision of the United States department of agriculture.

HB 1878 signed into law by governor 3/04/2022.