

# 2023 FIRST QUARTER STATE LEGISLATIVE REPORT



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This reports summarizes key school nutrition state legislation that changed status or was introduced between January 1 and March 31, 2023.

Unpaid meal debt continues to be an issue in some states. Several states currently offer free school meals to all students on a temporary or permanent basis, while others are in the process of considering legislation.

## **THIS QUARTER:**

- 56 new bills were introduced
- 3 of the bills in this report have been signed into law (Massachusetts [H 58](#), Minnesota [HF 5](#), New Mexico [SB 4](#))
- 22 state legislatures have legislation pending that would create permanent or temporary free school meal programs
- Minnesota and New Mexico will now be offering school meals at no cost to students permanently

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).



# STATE LEGISLATIVE UPDATE



AZ

## Arizona

[HB 2238](#) would appropriate \$106,000,000 from the state general fund in FY 2023-2024 to provide free breakfast and lunch to students in kindergarten programs and grades 1-12 in each charter school and school district.

*House Second reading 1/24/2023.*

CT

## Connecticut

[SB 929](#) would provide free school meals to all students.

*On Senate Calendar 3/13/2023.*

[HB 880](#) would require boards of education to post online curriculum materials and the nutrition value of school meals. It would also allow public schools to serve whole milk and increase lunchtime for students from 20 to 30 minutes.

*Filed with Legislative Commissioner's Office 3/27/2023.*

[SB 1216](#) would require a study of funding needed to provide school meals for students.

*Heard by the Joint Committee on Appropriations on 3/28/2023.*

DC

## District of Columbia

[B 25-0035](#) would provide universal free school meals and after school snacks to public school, public charter school, and participating private school students in the District of Columbia.

*Notice of Intent to Act on published in the District of Columbia Register 1/20/2023.*

HI

## Hawaii

[HB 620](#) would require public schools to provide free breakfast and lunch to all enrolled students. If this measure passes, it will go into effect beginning the 2023-24 school year.

*The House Committee on Education recommended that the measure be deferred 2/09/2023.*

[HB 540](#) Beginning with the 2023-2024 school year, requires the department of education and public charter schools to provide free breakfast and lunch to all enrolled students. Appropriates funds.

*Senate Committee on Education deferred 3/22/2023.*

IL

## Illinois

[SB 1931](#) would require the State Board of Education to reimburse school boards the actual cost of each free lunch or breakfast supplied by them (instead of reimbursing school boards \$0.15 or the actual cost, whichever is less, for each free lunch or breakfast), taking into consideration (rather than being in addition to) any federal contributions.

*Senator Javier Cervantes added as Chief Co-Sponsor 3/29/2023.*



IA

## Iowa

[SF 303](#) would require school districts to provide breakfast and lunch to all students at no cost.

***Referred to the Senate Subcommittee on Education 2/22/2023.***

[HF 558](#) to create a local farm produce fund and a local farm produce program. The fund will operate using money appropriated by the state legislature, as well as funding from public or private sources. The fund will support the local farm produce program.

***Referred to the House Agriculture Committee 3/02/2023.***

[HF 75](#) prohibit schools from collecting payment for school breakfast or lunch from students eligible for reduced-priced meals.

***Referred to the House Education Committee 3/02/2023.***

[HF 377](#) would prohibit the serving of foods containing insect proteins, lab-grown proteins imitating animal products and genetically engineered products used to simulate animal meats at schools.

***Heard by the House Education Subcommittee 3/01/2023.***

LA

## Louisiana

[HB 282](#) would provide free school meals to all students.

***On Senate Calendar 3/13/2023.***

ME

## Maine

[HP 638](#) requires school administrative units to provide students with a lunch period of at least 30 minutes, unless determined impracticable by the school administrative unit's governing body after notice and public hearing. In order to reduce food waste, this bill also requires, to the extent possible, for school administrative units to provide a table, container or other area where a student may return unconsumed whole food or beverage items that may be provided to other students.

***Carried over, in the same posture, to any special or regular session of the 131st Legislature, pursuant to Joint Order SP 594 3/30/2023.***

MD

## Maryland

[HB0628](#) or [SB0557](#) would require schools that participate in the School Breakfast Program or the National School Lunch Program to offer each student a meal at no cost. The bill provides for the reimbursement rate at which the State shall pay county boards and participating nonpublic schools for the meals offered to students. It prohibits county boards or nonpublic schools from charging a student any portion of the cost of a breakfast or lunch.

***HB0628 heard by the House Ways and Means Committee 2/22/2023.  
SB0557 heard by the Senate Budget and taxation Committee 2/22/2023.***

[HB0514](#) or [SB0559](#) Would increase the appropriation required by the Governor for the Maryland Meals for Achievement In-Classroom Breakfast Program from \$7,550,000 to \$12,050,000 in the annual budget bill.

***HB0514 heard by the House Appropriations Committee 2/28/2023.  
SB0559 heard by the Senate Budget and Taxation Committee 2/22/2023.***

MA

## Massachusetts

[H.58](#) appropriates \$65 million for the School Breakfast Program for Fiscal Year 2023.

**Enacted 3/23/2023.**

[H. 603](#) would require all schools participating in the National School Lunch Program and school breakfast program to make breakfast and lunch available at no cost to students. Schools are also required to adopt the federal Community Eligibility Provision. The Department of Elementary and Secondary Education would cover the difference in cost not reimbursed through federal funding.

***Referred to the Joint Committee on Education 2/16/2023.***

MA

## Massachusetts, continued

[S. 261](#) requires all schools participating in the National School Lunch Program and school breakfast program to make breakfast and lunch available at no cost to students. Schools are also required to adopt the federal Community Eligibility Provision. The Department of Elementary and Secondary Education would cover the difference in cost not reimbursed through federal funding.

***Referred to the Joint Committee on Education 2/16/2023.***

[H. 451](#) directs the governor to annually proclaim March 21 as Massachusetts Child Nutrition Day and recommends that the day be observed in an appropriate manner.

***Referred to Joint Committee on Education 2/16/2023.***

[H. 3545](#) requests an appropriation of \$171 million to extend state-funded universal free school meals through SY 2023-2024. Directs the Executive Office of Education to report by early next year on options to reform, modify or extend this program in a way that promotes equity, maximizes federal revenue and improves predictability and sustainability of funding into the future.

***Referred to the House Ways and Means Committee 3/20/2023.***

MN

## Minnesota

[SF 2158](#) or [HF 2043](#) to establish a farm to school program to facilitate and increase the procurement of Minnesota-grown unprocessed or minimally processed food by eligible recipients in order to increase Minnesota children's access to healthy, fresh, locally produced food and to support the farmers and processors who sell their products to eligible recipients.

***SF 2158 Senator Nicole Mitchell added as co-sponsor 3/08/2023.***

***HF 2043 Representative Carlie Kotyza-Witthuhn added as co-sponsor 3/06/2023.***

MN

## Minnesota, continued

[HF 5](#) or [SF 123](#) would amend the current statute and require all schools that participate in the federal school breakfast and lunch programs to provide breakfast and lunch at no cost to all students.

*HF 5 signed into law by governor 3/17/2023.*

*SF123 Committee report: To pass as amended and re-refer to Finance Committee 1/27/2023.*

SF 2684 or HF 2497 Creates the free school meals program and policies school have to comply with. Makes appropriation to fund school meal programs.

*SF 2684 referred to Senate Education Finance Committee 3/07/2023.*

*HF 2497 reported favorably from House Rules and Legislative Administration Committee and re-referred to House Education Finance Committee 3/08/2023.*

MO

## Missouri

[HB 172](#) Requires public schools to provide free breakfasts and lunches to all students attending classes in such school.

*Referred to House Elementary and Secondary Education Committee 3/02/2023.*





MO

## Missouri, continued

[SB 321](#) establishes the "Missouri Universal School Meals Act". Subject to appropriations, schools shall provide a U.S. Department of Agriculture reimbursable meal to a student who requests one, at no cost to the student, unless the student's parent or guardian provides notice to the school that the parent or guardian will provide the student's meal. A school shall determine which students are eligible for free and reduced price meals under the federal student meals programs and shall provide information and assistance to parents and guardians for purposes of filling out meal assistance applications. Schools shall seek to maximize federal meal assistance, but shall not publicly identify or stigmatize students who are eligible for such assistance.

***Referred to Senate Education and Workforce Development Committee 2/23/2023.***

[HB 565](#) would require schools to provide a reimbursable meal to any student who requests it, regardless of whether the student can pay for a meal or owes money for earlier meals, 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. The bill 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 also requires schools to direct communication about any 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.

***Referred to House Elementary and Secondary Education Committee 3/02/2023.***

MT

### Montana

[HB 863](#) would establish a state program administered by the superintendent of public instruction to eliminate costs to students for school meals. Appropriates \$22 million from the state general fund to the office of public instruction for each fiscal year of the biennium beginning July 1, 2023.

*Tabled in House Education Committee 3/29/2023.*

NE

### Nebraska

[LB 99](#) would adopt the "Hunger-Free Schools Act" to provide free breakfast and lunch to all public school students. Schools would be reimbursed by the State for any meal costs that are not reimbursed by the federal school breakfast, lunch or summer meals program. Participation in the Community Eligibility Provision, a federal program that provides meals at no cost to all students in eligible schools, would be required for eligible schools.

*Heard by the Education Committee 2/13/2023.*

NV

### Nevada

[SB 340](#) requires the board of trustees of a school district or the governing body of a charter school, as applicable, to provide school breakfast and lunch to students who attend summer school. Establishes reporting requirements.

*Scheduled to be heard by the Senate Education Committee 4/03/2023.*

NH

### New Hampshire

[HB 181](#) would establish a committee to study school meal programs in New Hampshire's public schools and nonsectarian schools that utilize public funds.

*Inexpedient to legislate 3/09/2023.*

NJ

## New Jersey

[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 referred to Senate Budget and Appropriations Committee 1/12/2023.***

***A 811 introduced, Referred to Assembly Education Committee 1/11/2022.***

[A 3925 or S 531](#) requires public schools to comply with the school lunch and breakfast nutrition standards adopted by USDA in 2012.

***A 3925 introduced, referred to Assembly Agriculture and Food Security Committee 5/09/2022.***

***S 531 Senate Amendment (Voice) (Ruiz) 2/27/2023.***

[A 4132 or S 3426](#) establishes the New Jersey Agricultural Literacy Week. It would be an annual week-long celebration to teach children, through a book designation and classroom activities, the importance of agricultural products and the role they play in providing the ingredients for meals.

***A 4132 Passed both chambers, 2nd Reading 2/27/2023.***

***S 3426 Substituted by A 4132 2/27/2023.***

[A5164 or S530](#) requires certain school meal information be provided to public school students' parents and requires school districts to request that families apply for school meals under certain circumstances.

***A5164 introduced, referred to Assembly Education Committee 2/06/2023.***

***S530 received in the Assembly, Referred to Assembly Education Committee 2/27/2023.***

NM

## New Mexico

[SB 4](#) would enact the "Healthy Universal School Meals Act" to ensure free, healthy school meals for all students. Makes an appropriation.

***Signed into law by Governor 3/27/2023.***

NY

## New York

[A 03923](#) enacts the "Making Equitable and Alternative lunches (MEAL) Act"; requires a public school to offer a plant-based food option, a halal food option and a kosher food option as an alternative to every meal or snack offered in food service to any student who chooses such alternative meal or snack as an option.

***Referred to Assembly Committee on Education 2/08/2023.***

[S 04364](#) directs the Department of Health to develop state food guidelines for foods purchased, served, and sold by State agencies, programs, and institutions and on state property.

***Referred to the Senate Procurement and Contracts Committee 2/07/2023.***

[A01941](#) requires all public school districts, charter schools and non-public 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 the Assembly Committee on Education 1/23/2023.***

ND

## North Dakota

[HB 1491](#) provides an appropriation of \$89,500,000 to the superintendent of public instruction to provide grants to defray the expenses of providing lunch, free of charge, for all students enrolled in public schools, for the biennium beginning July 1, 2023, and ending June 30, 2025.

***Motion to reconsider failed 3/28/2023.***

OR

## Oregon

[HB 181](#) would establish a committee to study school meal programs in New Hampshire's public schools and nonsectarian schools that utilize public funds.

***Inexpedient to legislate 3/09/2023.***

PA

## Pennsylvania

[SB 180](#) provides for the Universal School Meal Program; establishes the Universal School Meal Fund; and makes an interfund transfer and an appropriation.

*Referred to the Senate Education Committee 3/09/2023.*

RI

## Rhode Island

o [H 5141](#) would require all public elementary and secondary schools to offer free lunch to all students.

*Withdrawn at sponsor's request 2/16/2023.*

[H 5639](#) would require all elementary and secondary schools to provide breakfast and lunch to students at no cost.

*Referred to the Finance Committee 2/15/2022.*

SC

## South Carolina

[S 148](#) would require eligible schools to offer breakfast and lunch at no cost to all students. Amends the current statute to require schools to provide students with at least 30 minutes to eat lunch between 11 a.m. and 2 p.m.

*Referred to Committee on Education 1/10/2023.*

SD

## South Dakota

[HB 1221](#) would prohibit school districts from charging students for meals issued by a foodservice program. This bill would also require the state Department of Education to reimburse school districts for the cost of providing meals to students that are not reimbursed through the National School Lunch Program.

*Passed the House Education Committee 2/13/2023.*



TN

## Tennessee

[SB 0208](#) or [HB 0255](#) requires the state to reimburse each LEA the cost of providing a free breakfast and lunch to each student enrolled after all federal funds available pursuant to the national school lunch program and the federal school breakfast program, or any other federal program, have been applied. This bill also indicates that students must meet the eligibility requirements for free or reduced price lunch under federal law.

*SB 0208 sponsor(s) added 1/26/2023.*

*HB 0255 taken off notice for cal in s/c K-12 Subcommittee of Education Administration 2/28/2023.*

TX

## Texas

[HB 3589](#) transfers the administration of school nutrition programs from the Texas Department of Agriculture to the Texas Education Agency.

*Referred to House Committee on State Affairs 3/16/2023.*

VT

## Vermont

[H.165](#) requires all public schools to provide school breakfast and lunch to all students at no charge.

*Referred to the Senate Committee on Education 3/29/2023.*

VA

## Virginia

[HB 1967](#) requires public elementary and secondary schools to participate in the federal National School Lunch Program and the federal School Breakfast Program or the Community Eligibility Provision. The bill also requires schools to provide lunch and breakfast at no cost to any student who requests it, unless parents provide written instruction indicating otherwise.

*Left in Committee on Education 2/07/2023.*

WA

## Washington

[HB 1238](#) or [SB 5339](#) would require all public schools to provide students with breakfast and lunch at no cost, and it includes the provision of school meals to all students in its definition of "basic education."

*HB 1238 scheduled for executive session in the Senate Committee on Ways & Means 4/04/2023.*

*SB 5339 referred to Senate Ways and Means Committee 2/01/2023.*





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