

School Meal Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Luz Escamilla
House Sponsor:

LONG TITLE

General Description:

This bill provides free breakfast and lunch to all students in a public school.

Highlighted Provisions:

This bill:

- defines terms;
- creates the Universal Free School Meals Program;
- provides free meals to students enrolled in public schools;
- creates a restricted account to assist in funding the school meals; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53E-1-201, as last amended by Laws of Utah 2024, Chapters 3, 460 and 525

53F-9-204, as last amended by Laws of Utah 2024, Chapter 322

ENACTS:

53F-2-422, Utah Code Annotated 1953

53F-9-502, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53E-1-201** is amended to read:

53E-1-201 . Reports to and action required of the Education Interim Committee.

(1) In accordance with applicable provisions and Section 68-3-14, the following recurring reports are due to the Education Interim Committee:

(a) the report described in Section 9-22-109 by the STEM Action Center Board,

- 31 including the information described in Section 9-22-113 on the status of the computer
32 science initiative and Section 9-22-114 on the Computing Partnerships Grants
33 Program;
- 34 (b) the prioritized list of data research described in Section 53B-33-302 and the report on
35 research and activities described in Section 53B-33-304 by the Utah Data Research
36 Center;
- 37 (c) the report described in Section 53B-1-402 by the Utah Board of Higher Education on
38 career and technical education issues and addressing workforce needs;
- 39 (d) the annual report of the Utah Board of Higher Education described in Section
40 53B-1-402;
- 41 (e) the reports described in Section 53B-28-401 by the Utah Board of Higher Education
42 regarding activities related to campus safety;
- 43 (f) the State Superintendent's Annual Report by the state board described in Section
44 53E-1-203;
- 45 (g) the annual report described in Section 53E-2-202 by the state board on the strategic
46 plan to improve student outcomes;
- 47 (h) the report described in Section 53E-8-204 by the state board on the Utah Schools for
48 the Deaf and the Blind;
- 49 (i) the report described in Section 53E-10-703 by the Utah Leading through Effective,
50 Actionable, and Dynamic Education director on research and other activities;
- 51 (j) the report described in Section 53F-2-522 regarding mental health screening
52 programs;
- 53 (k) the report described in Section 53F-4-203 by the state board and the independent
54 evaluator on an evaluation of early interactive reading software;
- 55 (l) the report described in Section 53F-9-502 by the state board on the Universal Free
56 School Meals Restricted Account;
- 57 ~~[(t)]~~ (m) the report described in Section 63N-20-107 by the Governor's Office of
58 Economic Opportunity on UPSTART;
- 59 ~~[(m)]~~ (n) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board
60 related to grants for professional learning and grants for an elementary teacher
61 preparation assessment;
- 62 ~~[(n)]~~ (o) upon request, the report described in Section 53F-5-219 by the state board on
63 the Local Innovations Civics Education Pilot Program;
- 64 ~~[(o)]~~ (p) the report described in Section 53F-5-405 by the state board regarding an

65 evaluation of a partnership that receives a grant to improve educational outcomes for
66 students who are low income;
67 ~~[(p)]~~ (q) the report described in Section 53B-35-202 regarding the Higher Education and
68 Corrections Council;
69 ~~[(q)]~~ (r) the report described in Section 53G-7-221 by the state board regarding
70 innovation plans; and
71 ~~[(r)]~~ (s) the reports described in Section 53F-6-412 regarding the Utah Fits All
72 Scholarship Program.

73 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
74 reports are due to the Education Interim Committee:

- 75 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53B-1-116,
76 53B-1-117, and 53B-1-118;
77 (b) if required, the report described in Section 53E-4-309 by the state board explaining
78 the reasons for changing the grade level specification for the administration of
79 specific assessments;
80 (c) if required, the report described in Section 53E-5-210 by the state board of an
81 adjustment to the minimum level that demonstrates proficiency for each statewide
82 assessment;
83 (d) the report described in Section 53E-10-702 by Utah Leading through Effective,
84 Actionable, and Dynamic Education;
85 (e) if required, the report described in Section 53F-2-513 by the state board evaluating
86 the effects of salary bonuses on the recruitment and retention of effective teachers in
87 high poverty schools;
88 (f) upon request, a report described in Section 53G-7-222 by an LEA regarding
89 expenditure of a percentage of state restricted funds to support an innovative
90 education program;
91 (g) the reports described in Section 53G-11-304 by the state board regarding proposed
92 rules and results related to educator exit surveys; and
93 (h) the report described in Section 26B-5-113 by the Office of Substance Use and
94 Mental Health, the state board, and the Department of Health and Human Services
95 regarding recommendations related to Medicaid reimbursement for school-based
96 health services.

97 Section 2. Section **53F-2-422** is enacted to read:

98 **53F-2-422 . Universal Free School Meals Program.**

99 (1) As used in this section:

100 (a) "National School Lunch Program" means the same as that term is defined in 7 C.F.R.
101 Sec. 210.2.

102 (b) "School Breakfast Program" means the same as that term is defined in 7 C.F.R. Sec.
103 220.2.

104 (2)(a) An LEA shall:

105 (i) subject to legislative appropriations, provide breakfast and lunch at no charge to a
106 student enrolled in a public school within the LEA regardless of a student's
107 income or eligibility status under the National School Lunch Program, School
108 Breakfast Program, or other school meal program;

109 (ii) provide a student or parent with the option to pay the full cost of a breakfast or
110 lunch if the parent or student chooses to do so; and

111 (iii) use funds collected under Subsection (2)(a)(ii) to offset the cost of an LEA
112 providing breakfast and lunch at no charge to a student under this section.

113 (b) A student is automatically enrolled in the Universal Free School Meals Program,
114 unless the student's parent or guardian opts the student out under Subsection (3)(a).

115 (3) The state board shall:

116 (a) develop and distribute opt out forms for use by a parent of a student enrolled in a
117 public school;

118 (b) administer the Universal Free School Meals Program described in Section (1)(a) in
119 coordination with LEAs;

120 (c) maximize federal funding and ensure proper reimbursement by:

121 (i) collaborating with the Department of Health and Human Services to directly
122 certify a student whose household participates in Medicaid or the Children's
123 Health Insurance Program; and

124 (ii) providing schools with the necessary data and forms to identify and enroll an
125 eligible student through direct certification under Subsection (3)(c)(i); and

126 (d) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
127 establish rules and policies to:

128 (i) maximize the amount of federal funding available to implement the Universal
129 Free School Meals Program; and

130 (ii) ensure LEA compliance with this section.

131 (4) The Universal Free School Meals Program established in this section does not, and the
132 board may not, restrict schools from seeking federal reimbursement for meals provided

under the School Lunch Program and the National School Breakfast Program.

- (5) A student or a student's parent is not responsible for the cost of any school meal provided to the student under the Universal Free School Meals Program.

Section 3. Section 53F-9-204 is amended to read:

53F-9-204 . Public Education Economic Stabilization Restricted Account.

- (1) There is created within the Uniform School Fund a restricted account known as the "Public Education Economic Stabilization Restricted Account."

- (2)(a) Except as provided in Subsection (2)(b), the account shall be funded from the following revenue sources:

- (i) 15% of the difference between, as determined by the Office of the Legislative Fiscal Analyst:

(A) the estimated amount of ongoing Income Tax Fund and Uniform School Fund revenue available for the Legislature to appropriate for the next fiscal year; and

(B) the amount of ongoing appropriations from the Income Tax Fund and Uniform School Fund in the current fiscal year; and

- (ii) other appropriations as the Legislature may designate.

- (b) If the appropriation described in Subsection (2)(a) would cause the ongoing appropriations to the account to exceed 11% of Uniform School Fund appropriations described in Section 53F-9-201.1 for the same fiscal year, the Legislature shall appropriate only those funds necessary to ensure that the ongoing appropriations to the account equal 11% of Uniform School Fund appropriations for that fiscal year.

- (3) Subject to the availability of ongoing appropriations to the account, in accordance with Utah Constitution, Article X, Section 5, Subsection (4), the ongoing appropriation to the account shall be used to fund:

- (a) except for a year described in Subsection (3)(b), one-time appropriations to:

(i) the public education system; ~~and~~ or

(ii) the restricted fund established in Section 53F-9-502; and

- (b) the Minimum School Program for a year in which Income Tax Fund revenue and Uniform School Fund revenue are insufficient to fund:

(i) ongoing appropriations to the public education system; and

(ii) enrollment growth and inflation estimates, as defined in Section 53F-9-201.1.

- (4)(a) The account shall earn interest.

- (b) All interest earned on account money shall be deposited in the account.

- (5) On or before December 31, 2023, and every three years thereafter, the Office of the

Legislative Fiscal Analyst shall:

- (a) review the percentages described in Subsections (2)(a)(i) and (2)(b); and
- (b) recommend to the Executive Appropriations Subcommittee any changes based on the review described in Subsection (5)(a).

(6) In preparing budget bills for a given fiscal year, the Executive Appropriations Committee shall make the one-time appropriations described in Subsection (3)(a) by appropriating at least the lesser of 10% of the total amount of the one-time appropriations[;] , or:

- (a) the cost of providing 32 paid professional hours for teachers in accordance with Section 53F-7-203; and
- (b) the amount to make the distribution required under Section 53F-2-527.

Section 4. Section **53F-9-502** is enacted to read:

53F-9-502 . Universal Free School Meals Restricted Account.

- (1) There is created a restricted account known as the "Universal Free School Meals Account" which the state board shall use to fund the Universal Free School Meals Program established in Section 53F-2-422.
- (2) The account consists of:
 - (a) appropriations made by the Legislature;
 - (b) interest earned on the account; and
 - (c) private donations, grants, gifts, bequests, or money made available from any other source to implement Section 53F-2-422.
- (3) The state board shall:
 - (a) administer the account; and
 - (b) provide an annual report to the Education Interim Committee detailing the contributions, expenditures, and program outcomes of the account.
- (4) The cost of administering the account shall be paid from money in the account.
- (5) Interest accrued from investment of money in the account shall remain in the account.

Section 5. **Effective Date.**

This bill takes effect on July 1, 2025.