

HOUSE BILL NO. 863

INTRODUCED BY M. ROMANO, J. COHENOUR, D. HAWK, M. MARLER, E. STAFMAN, J. LYNCH, D.

HARVEY, J. KARLEN, B. CARTER, Z. ZEPHYR, L. SMITH, D. BAUM, E. MATTHEWS

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO SCHOOL MEALS; ESTABLISHING A STATE PROGRAM ADMINISTERED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO ELIMINATE COSTS TO STUDENTS FOR SCHOOL MEALS; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. State funding to eliminate student costs for school lunch and breakfast -- legislative intent -- rulemaking. (1) The legislature recognizes that proper nutrition is a foundational requirement for learning and intends:

(a) to strengthen the opportunity of each child to develop the child's full educational potential in accordance with the goal of the people articulated in Article X, section 1(1), of the Montana constitution; and

(b) that the program under this section be implemented in a manner that maximizes the amount of federal school meals support received by school districts.

(2) The superintendent of public instruction shall administer a program to distribute replacement funds to school districts electing to provide school breakfast or lunch, or both, to all students at no cost to the student. The superintendent shall adopt rules necessary to administer the program.

(3) A participating school district shall maximize access to federal funds for the cost of the school breakfast and lunch program by participating in any federal provision that, in the opinion of the superintendent of public instruction, draws down the most possible federal funding for meals served in that program.

(4) For the purposes of this section, the following definitions apply:

(a) "Participating school district" means a school district whose board of trustees elects to participate in the program.

1 (b) "Program" means the program administered by the superintendent of public instruction under
2 this section.

3 (c) "Replacement funds" means the difference between the federal reimbursement for a student
4 for a school meal and the full cost of that meal under a national or federal program.
5

6 **NEW SECTION. Section 2. Appropriation.** (1) There is appropriated \$22 million from the state
7 general fund to the office of public instruction for each fiscal year of the biennium beginning July 1, 2023, for the
8 purposes described in [section 1].

9 (2) The legislature intends that the appropriation in subsection (1) be considered part of the
10 ongoing base for the next legislative session.
11

12 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
13 integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2, apply to [section 1].
14

15 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2023.

16 - END -