

HB 1660-FN - AS INTRODUCED

2022 SESSION

22-2518

10/04

HOUSE BILL

1660-FN

AN ACT relative to school lunches and establishing the meals for students fund.

SPONSORS: Rep. Horrigan, Straf. 6

COMMITTEE: Education

ANALYSIS

This bill requires schools to make free or reduced cost breakfast and lunch available to children who meet federal eligibility guidelines and provides for reimbursement to schools for offering meals at no cost to eligible students. The requirement is repealed in 2025.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to school lunches and establishing the meals for students fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, I to read as follows:

2 I. Each school board shall make ~~[at least one meal]~~ **breakfast and lunch** available during
3 school hours to every pupil under its jurisdiction. Such meals shall be served without cost or at a
4 reduced cost to any child who meets federal income eligibility guidelines. The state board of
5 education shall ensure compliance with this section and shall establish minimum nutritional
6 standards for such meals as well as income guidelines set for the family size used in determining
7 eligibility for free and reduced price meals. ~~[Nothing in this section shall prohibit the operation of~~
8 ~~both a breakfast and lunch program in the same school].~~

9 2 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, VII(b) to read as follows:

10 (b) Such school which demonstrates to the department of education that an approved
11 school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law
12 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect,
13 and that such school is providing breakfast ~~[meals]~~ **and lunch** to pupils that meet or exceed the
14 United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent
15 reimbursement for each breakfast ~~[meal]~~ **and lunch** served to a pupil and an additional 27 cent
16 reimbursement for each meal served to students eligible for a reduced price meal. The department
17 of education shall ~~[request biennial appropriations in an amount sufficient to meet projected]~~
18 **provide funding from the meals for students fund for** school breakfast **and lunch**
19 reimbursements to ensure students eligible for reduced price meals are offered breakfast **and lunch**
20 at no cost **to the students**. The department of education shall prescribe forms as necessary under
21 this paragraph.

22 (c) **There is established the meals for students fund for the purpose of providing**
23 **funding for the unreimbursed cost of breakfast and lunch meals of students eligible for**
24 **reduced price meals. The fund shall be nonlapsing and continually appropriated to the**
25 **department of education. The fund may receive money from any available state, federal, or**
26 **private source.**

27 3 New Subparagraph; Application of Receipts; Dedicated Funds. Amend RSA 6:12, I(b) by
28 inserting after subparagraph (382) the following new subparagraph:

29 (383) Moneys deposited in the meals for students fund under RSA 189:11-a, VII(c).

30 4 Food and Nutrition Programs; 2025. Amend RSA 189:11-a, VII(b) and (c) to read as follows:

(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b is in effect, and that such school is providing breakfast and lunch to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast and lunch served to a pupil and an additional 27 cent reimbursement for each meal served to students eligible for a reduced price meal. The department of education shall ~~[provide funding from the meals for students fund for]~~ **request biennial appropriations in an amount sufficient to meet projected** school breakfast and lunch reimbursements to ensure students eligible for reduced price meals are offered breakfast and lunch at no cost to the students. The department of education shall prescribe forms as necessary under this paragraph.

~~[(c) There is established the meals for students fund for the purpose of providing funding for the unreimbursed cost of breakfast and lunch meals of students eligible for reduced price meals. The fund shall be nonlapsing and continually appropriated to the department of education. The fund may receive money from any available state, federal, or private source.]~~

5 Repeal; 2025. RSA 6:12, I(b)(383), relative to the meals for students fund, is repealed.

6 Effective Date.

I. Sections 4 and 5 of this act shall take effect July 1, 2025.

II. The remainder of this act shall take effect July 1, 2022.

HB 1660-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to school lunches and establishing the meals for students fund.

FISCAL IMPACT: ☒ **State** ☐ **County** ☒ **Local** ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$642,888	\$649,296	\$655,776
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input type="checkbox"/> Other			

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill expands the School Nutrition and Food Service Program to include and provide both breakfast and lunch, regardless of participation in the National School Lunch and School Breakfast Program, to all pupils under the school's jurisdiction. The bill also repeals the requirement for the Department of Education to fund the student fund at the end of FY 2025 and instead requires the Department to request biennial appropriation to meet the projected school breakfast and lunch reimbursements effective July 1, 2025.

The Department of Education states the fiscal impact to this bill is an increase to State and Local expenditures in FY 2023 and forward. To calculate the cost of the expanded program on State expenditures the Department assumes the reimbursement for reduced price lunch meals would be \$0.40 versus the \$0.30 (\$0.03 and \$0.27) as stated in the bill. They also assume a 1% annual growth for pupils receiving reduced meals and multiplied that by the number of school days.

FY 2023: 8,929 reduced price students @ \$0.40 per reduced lunch price payment.	(8,929 x .40 x 180) = \$642,888
FY 2024: 9,018 reduced price students @	(9,018 x .40 x 180) = \$649,296

\$0.40 per reduced lunch price payment.	
FY 2025: 9,108 reduced price students @ \$0.40 per reduced lunch price payment.	(9,108 x .40 x 180) = \$655,776

The Department is unable to calculate the cost of the increase to local expenditures for providing both breakfast and lunch to every pupil in the school's jurisdiction. The Department states the cost would be determined at the school's level, which would include their unique startup costs, labor startup costs, labor costs, cost of meal pricing, projected participation, and actual participation. They do note this would affect a minimum of 170 schools.

AGENCIES CONTACTED:

Department of Education