

2024 Regular Session

HOUSE BILL NO. 594

BY REPRESENTATIVE GREEN

SCHOOLS/FOOD PROGRAMS: Creates and provides for the Free School Breakfast Program to be administered by the state Department of Education

1 AN ACT

2 To enact R.S. 17:192(C), to create a Free School Breakfast Program for the distribution of  
3 free breakfasts to certain public school students; to require the state Department of  
4 Education to administer the program; to provide for funding; to provide definitions;  
5 to provide relative to implementation; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:192(C) is hereby enacted to read as follows:

8 §192. Lunches and breakfasts; duty to furnish

9 \* \* \*

10 C.(1)(a) There is hereby created within the state Department of Education  
11 the Free School Breakfast Program.

12 (b) For each governing authority of a school nutrition program that meets the  
13 requirements of the program as provided in Paragraph (2) of this Subsection, the  
14 department shall provide funding for each reimbursable school breakfast that is  
15 served to a student, up to one breakfast per student per school day. The  
16 reimbursement amount for each governing authority shall be the difference between  
17 the amount paid by the United States Department of Agriculture and the free rate as  
18 set annually by the United States Secretary of Agriculture under 42 U.S.C. 1759a.

19 (c) The department may establish a payment schedule.

1           (2) To receive funding from the department for the program, a governing  
2 authority shall:

3           (a) Participate in the federal School Breakfast Program.

4           (b) Provide reimbursable breakfasts, pursuant to 7 CFR 210.10, at no cost  
5 to all students each school day for any school breakfast program operated by the  
6 governing authority.

7           (c) Maximize access to federal funds for the cost of school breakfast  
8 programs by adopting the United States Department of Agriculture's Community  
9 Eligibility Provision or any federal provision that results in the maximum possible  
10 amount of federal funding for meals served in that program. Each governing  
11 authority that has an identified student percentage greater than or equal to the  
12 minimum requirement to be eligible to participate in the Community Eligibility  
13 Provision shall participate in the subsequent school year and through the duration of  
14 the Community Eligibility Provision's four-year cycle. To the extent practicable, the  
15 governing authority shall group schools for purposes of maximizing the number of  
16 schools eligible to participate in the Community Eligibility Provision.

17           (d) Maximize student participation, which may include providing breakfasts  
18 that can be picked up, or making breakfasts available in classrooms after the start of  
19 the school day.

20           (3) The State Board of Elementary and Secondary Education shall  
21 promulgate rules as necessary for the implementation of this Subsection.

22           (4) The department shall convene a group of stakeholders to examine the  
23 potential impact of offering statewide free school meals through other state funded  
24 programs.

25           (5) The implementation of the provisions of this Subsection is subject to the  
26 appropriation of funds by the legislature.

27           (6) For the purposes of this Subsection, the following terms have the  
28 following meanings:

1           (a) "Community Eligibility Provision" means the federal provision created  
2           pursuant to 42 U.S.C. Section 1759a, which allows school districts to choose to  
3           receive federal special assistance payments for school meals in exchange for  
4           providing free school meals to all students enrolled.

5           (b) "Identified student percentage" means the percentage of a school food  
6           authority's student enrollment that is certified as eligible for free meals based on  
7           documentation of benefit of receipt or categorical eligibility pursuant to 7 CFR  
8           Section 245.6.

9           Section 2. The provisions of this Act shall be initially implemented at the beginning  
10 of the 2024-2025 school year subject to R.S. 17:192(C)(5) as enacted by this Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 594 Engrossed

2024 Regular Session

Green

**Abstract:** Creates the Free School Breakfast Program within the state Dept. of Education (DOE).

Proposed law requires DOE to provide funding to governing authorities of school nutrition programs that participate in the Free School Breakfast Program for each reimbursable school breakfast served, up to one breakfast per student per school day. Authorizes DOE to establish a payment schedule.

Requires participating governing authorities to:

- (1) Participate in the federal School Breakfast Program.
- (2) Provide reimbursable breakfasts at no cost to all students each school day.
- (3) Pursue the maximum amount of federal funding possible.

Implementation of proposed law is subject to the appropriation of funds by the legislature.

(Adds R.S. 17:192(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

- 1. Remove requirement that governing authority policies require students' parents to submit income information.