

FIRST REGULAR SESSION

# HOUSE BILL NO. 977

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MOSLEY.

1978H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to school meals.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be  
2 known as section 167.204, to read as follows:

3       **167.204. 1. This section shall be known and may be cited as the "Missouri**  
4 **Universal School Meals Act".**

5       **2. As used in this section, the term "school" shall mean any school district;**  
6 **public school, including a charter school; or private, religious, or parochial school**  
7 **participating in the National School Lunch Program, the School Breakfast Program, or**  
8 **successive program.**

9       **3. Subject to appropriations, a school shall provide a U.S. Department of**  
10 **Agriculture reimbursable meal to a student who requests one at no cost to the student or**  
11 **student's parent or guardian, unless the student's parent or guardian provides written**  
12 **notice to the school that the parent or guardian will provide the student's meal.**

13       **4. A school shall determine which students are eligible for free or reduced price**  
14 **meals through the National School Lunch Program, the School Breakfast Program, or**  
15 **any successor programs, and shall provide information and assistance to parents and**  
16 **guardians of such students for purposes of filling out a meal application. The school**  
17 **shall seek to maximize federal meal assistance for students, but shall not publicly**  
18 **identify or otherwise stigmatize a student who is or may be eligible for free or reduced**  
**price meals. No student shall be denied a meal on the basis of the ability of the student,**  
**or the student's parent or guardian, to pay for the meal or because the student, parent,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

19 or guardian has not returned a meal application. The meal application shall only be  
20 used for federal reimbursement and for state aid calculations under chapter 163.

21 5. (1) There is hereby created in the state treasury the "Universal School Meals  
22 Fund", which shall consist of moneys appropriated by the general assembly for the  
23 purposes of implementing the provisions of this section. The state treasurer shall be  
24 custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer  
25 may approve disbursements. The fund shall be a dedicated fund and moneys in the  
26 fund shall be used solely by the state board of education for the purposes of reimbursing  
27 schools the cost of meals not reimbursed under the National School Lunch Program, the  
28 School Breakfast Program, or successor programs.

29 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
30 remaining in the fund at the end of the biennium shall not revert to the credit of the  
31 general revenue fund.

32 (3) The state treasurer shall invest moneys in the fund in the same manner as  
33 other funds are invested. Any interest and moneys earned on such investments shall be  
34 credited to the fund.

35 6. The state board of education shall promulgate rules and regulations for the  
36 implementation of this section. Such rules shall include the process by which schools  
37 may apply for reimbursement for student meals not otherwise reimbursed under the  
38 National School Lunch Program, the School Breakfast Program, or successor programs.  
39 Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
40 under the authority delegated in this section shall become effective only if it complies  
41 with and is subject to all of the provisions of chapter 536 and, if applicable, section  
42 536.028. This section and chapter 536 are nonseverable and if any of the powers vested  
43 with the general assembly pursuant to chapter 536 to review, to delay the effective date,  
44 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant  
45 of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall  
46 be invalid and void.

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