

HB0100S03 compared with HB0100

~~{Omitted text}~~ shows text that was in HB0100 but was omitted in HB0100S03

inserted text shows text that was not in HB0100 but was inserted into HB0100S03

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1

Food Security Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Tyler Clancy
Senate Sponsor: Kirk A. Cullimore



2

3 **LONG TITLE**

4 **General Description:**

5 This bill establishes a program to provide ~~{free breakfast and }~~ lunch ~~{to }~~ at no cost to an eligible
6 ~~{students and requires participation in the Summer Electronic Benefits Transfer Program }~~ student.

6 **Highlighted Provisions:**

7 This bill:

- 9 ▶ defines terms;
- 10 ▶ ~~{requires the Department of Work Force Services to participate in the Summer Electronic~~
11 ~~Benefits Transfer for Children Program; }~~
- 12 ▶ provides ~~{all eligible }~~ certain students ~~{with free breakfast and }~~ access to lunch at no charge;
- 13 ▶ requires the State Board of Education to reimburse each ~~{LEA for the cost of providing each~~
14 ~~meal }~~ local education agency (LEA) for certain reduced price lunches;
- 15 ▶ prohibits ~~{LEAs }~~ an LEA from ~~{publicly identifying or }~~ stigmatizing students who cannot
16 afford meals; ~~{and }~~
- 17 ▶ encourages an LEA to reduce food waste; and
- ▶

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requires communications regarding a student's meal debt to be directed only to the student's parent { ~~or guardian~~ } .

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 This bill provides a special effective date.

21 ENACTS:

22 **53F-2-422** , Utah Code Annotated 1953 , Utah Code Annotated 1953

AMENDS:

25 ~~{35A-3-103 , as last amended by Laws of Utah 2023, Chapter 328 , as last amended by Laws of Utah 2023, Chapter 328}~~

23

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

30 ~~{Section 1. Section 35A-3-103 is amended to read: }~~

31 **35A-3-103. Department responsibilities.**

The department shall:

- 33 (1) administer public assistance programs assigned by the Legislature and the governor;
- 34 (2) determine eligibility for public assistance programs in accordance with the requirements of this chapter;
- 36 (3) cooperate with the federal government in the administration of public assistance programs;
- 38 (4) administer state employment services;
- 39 (5) provide for the compilation of necessary or desirable information, statistics, and reports;
- 40 (6) perform other duties and functions required by law;
- 41 (7) monitor the application of eligibility policy;
- 42 (8) develop personnel training programs for effective and efficient operation of the programs administered by the department;
- 44 (9) provide refugee resettlement services in accordance with Section 35A-3-701;
- 45 (10) provide child care assistance for children in accordance with Part 2, Office of Child Care;
- 47 (11) provide services that enable an applicant or recipient to qualify for affordable housing in cooperation with:
- 49 (a) the Utah Housing Corporation;

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- 50 (b) the Housing and Community Development Division; and
51 (c) local housing authorities;
- 52 (12) administer the Medicaid Eligibility Quality Control function in accordance with 42 C.F.R. Sec.
431.812; ~~and~~
- 54 (13) conduct non-clinical eligibility hearings and issue final decisions in adjudicative proceedings,
including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for medical assistance eligibility
under:
- 57 (a) Title 26B, Chapter 3, Health Care - Administration and Assistance; or
58 (b) Title 26B, Chapter 3, Part 9, Utah Children's Health Insurance Program~~[-]~~ ; ~~and~~
- 59 (14) participate in the Summer Electronic Benefits Transfer for Children Program described in 42
U.S.C. 1762:
- 61 (a) in accordance with applicable federal law and regulation;
62 (b) subject to available federal funds; and
63 (c) subject to legislative appropriations.

25 Section 1. Section 1 is enacted to read:

26 **53F-2-422. School Meal Program.**

66 (1) As used in this section:

28 (a) "Education model health and wellness policy on nutrition" means state board policy emphasizing
that an LEA promote efficient meal scheduling, provide adequate time for eating, and implement
practices that help reduce food waste.

67 ~~{(a)}~~ (b) "Eligible student" means a student enrolled in kindergarten through grade 12 who qualifies
for reduced-price meals based on household size and income levels under the {School Breakfast
Program and} National School Lunch Program.

70 ~~{(b)}~~ (c) "National School Lunch Program" means the same as that term is defined in 7 C.F.R. Sec.
210.2.

72 ~~{(e) {"School Breakfast Program" means the same as that term is defined in 7 C.F.R. Sec. 220.2.}}~~

36 (d) "Share table program" means a system in a school where a student may return unopened, uneaten
food or beverages to a designated location for redistribution to other students.

74 (2) An LEA participating in the National School Lunch Program shall provide {breakfast and} lunch to
an eligible student on a school day at no {cost} charge.

41 (3) The state board:

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- 42 (a) shall:
- 76 {(3)} (i) {The State Board of Education shall} subject to legislative appropriations, reimburse an LEA
for each {free breakfast or} reimbursable lunch provided under this section in an amount equal to
the difference between the federal reimbursement rates for a {free} meal and a reduced-price meal,
as determined annually by the United States Department of Agriculture{:} ;
- 47 (ii) establish a reimbursement system where the board provides a monthly reimbursement to an LEA
that provides a meal under Subsection (2); and
- 49 (iii) accept private donations and grants for the purpose of funding the school meal program described
in this section; and
- 51 (b) may provide guidance and support to a school implementing the food waste prevention strategies
described in Subsection (6).
- 80 (4) An LEA may not:
- 81 (a) publicly identify or stigmatize a student unable to pay for a meal; or
- 82 (b) require a student to perform chores to pay for a meal unless the requirement applies equally to all
students regardless of whether the student pays for the meal.
- 84 (5) {Communications from an} An LEA{:} shall direct communications regarding a student's meal
debt{:} shall be directed} only to the student's parent {or guardian} .
- 59 (6) An LEA participating the National School Lunch Program shall consider, where feasible, reducing
food waste by:
- 61 (a) following the education model health and wellness policy on nutrition; and
- 62 (b) establishing a share table program.
- 63 (7)
- (a) Notwithstanding Subsection (3)(a)(i), if appropriations are insufficient to fully reimburse each LEA
for the cost of a reimbursable lunch described in this section, the state board shall distribute the
available funds in the fourth quarter of the fiscal year to each LEA on a pro rata basis, not exceeding
the available funds.
- 67 (b) An LEA may ask the parent of an eligible student to cover the the remaining cost of a subsidized
lunch under this section.

69 Section 2. **Effective date.**

This bill takes effect on {May 7,} July 1, 2025.

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