

Food Security Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: Kirk A. Cullimore

LONG TITLE**General Description:**

This bill establishes a program to provide free breakfast and lunch to eligible students and requires participation in the Summer Electronic Benefits Transfer Program.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Department of Work Force Services to participate in the Summer Electronic Benefits Transfer for Children Program;
- provides all eligible students with free breakfast and lunch;
- requires the State Board of Education to reimburse each LEA for the cost of providing each meal;
- prohibits LEAs from publicly identifying or stigmatizing students who cannot afford meals; and
- requires communications regarding a student's meal debt to be directed only to the student's parent or guardian.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

53F-2-422, Utah Code Annotated 1953

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

Section 1. Section **35A-3-103** is amended to read:

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

32 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
- 35 of this chapter;
- 36 (3) cooperate with the federal government in the administration of public assistance
- 37 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
- 43 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
- 46 Care;
- 47 (11) provide services that enable an applicant or recipient to qualify for affordable housing
- 48 in cooperation with:
- 49 (a) the Utah Housing Corporation;
- 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
- 53 C.F.R. Sec. 431.812; [~~and~~]
- 54 (13) conduct non-clinical eligibility hearings and issue final decisions in adjudicative
- 55 proceedings, including expedited appeals as defined in 42 C.F.R. Sec. 431.224, for
- 56 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
- 60 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.

64 Section 2. Section **53F-2-422** is enacted to read:

65 **53F-2-422 . School Meal Program.**

66 (1) As used in this section:

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

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

72 (c) "School Breakfast Program" means the same as that term is defined in 7 C.F.R. Sec.
73 220.2.

74 (2) An LEA shall provide breakfast and lunch to an eligible student on a school day at no
75 cost.

76 (3) The State Board of Education shall reimburse an LEA for each free breakfast or lunch
77 provided under this section in an amount equal to the difference between the federal
78 reimbursement rates for a free meal and a reduced-price meal, as determined annually by
79 the United States Department of Agriculture.

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
83 equally to all students regardless of whether the student pays for the meal.

84 (5) Communications from an LEA, regarding a student's meal debt, shall be directed only to
85 the student's parent or guardian.

86 Section 3. **Effective Date.**

87 This bill takes effect on May 7, 2025.