

Tyler Clancy proposes the following substitute bill:

Food Security Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: Kirk A. Cullimore

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3 **LONG TITLE**

4 **General Description:**

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

7 **Highlighted Provisions:**

8 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 reduced-price eligible students access to school meals at no charge;
- 13 ▶ requires the State Board of Education to reimburse each local education agency (LEA) for
14 the maximum reduced-price meal charge of each reimbursable meal the LEA claims;
- 15 ▶ prohibits an LEA from publicly identifying or stigmatizing students who cannot afford
16 meals;
- 17 ▶ encourages an LEA to reduce food waste; and
- 18 ▶ requires communications regarding a student's meal debt to be directed only to the
19 student's parent.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 This bill provides a special effective date.

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **35A-3-103**, as last amended by Laws of Utah 2023, Chapter 328

27 ENACTS:

28 **53F-2-422**, Utah Code Annotated 1953

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

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

35A-3-103 . Department responsibilities.

The department shall:

- (1) administer public assistance programs assigned by the Legislature and the governor;
- (2) determine eligibility for public assistance programs in accordance with the requirements of this chapter;
- (3) cooperate with the federal government in the administration of public assistance programs;
- (4) administer state employment services;
- (5) provide for the compilation of necessary or desirable information, statistics, and reports;
- (6) perform other duties and functions required by law;
- (7) monitor the application of eligibility policy;
- (8) develop personnel training programs for effective and efficient operation of the programs administered by the department;
- (9) provide refugee resettlement services in accordance with Section 35A-3-701;
- (10) provide child care assistance for children in accordance with Part 2, Office of Child Care;
- (11) provide services that enable an applicant or recipient to qualify for affordable housing in cooperation with:
 - (a) the Utah Housing Corporation;
 - (b) the Housing and Community Development Division; and
 - (c) local housing authorities;
- (12) administer the Medicaid Eligibility Quality Control function in accordance with 42 C.F.R. Sec. 431.812; ~~and~~
- (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:
 - (a) Title 26B, Chapter 3, Health Care - Administration and Assistance; or
 - (b) Title 26B, Chapter 3, Part 9, Utah Children's Health Insurance Program[-] ; and
- (14) beginning summer of 2027, participate in the Summer Electronic Benefits Transfer for Children Program described in 42 U.S.C. 1762:
 - (a) in accordance with applicable federal law and regulation;

63 (b) subject to available federal funds; and

64 (c) subject to legislative appropriations.

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

66 **53F-2-422 . School Meal Program.**

67 (1) As used in this section:

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

71 (b) "Eligible student" means a student who qualifies for reduced-price meals based on
72 household size and income levels under the School Breakfast Program or National
73 School Lunch Program.

74 (c) "National School Lunch Program" means the same as that term is defined in 7 C.F.R.
75 Sec. 210.2.

76 (d) "School Breakfast Program" means the same as that term is defined in 7 C.F.R. Sec.
77 220.2.

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

81 (2) An LEA participating in the National School Lunch Program or School Breakfast
82 Program shall provide breakfast and lunch to an eligible student on a school day at no
83 charge.

84 (3) The state board:

85 (a) shall:

86 (i) reimburse an LEA for each reimbursable breakfast or lunch provided under this
87 section in an amount equal to the difference between the federal reimbursement
88 rates for a meal and a reduced-price meal, as determined annually by the United
89 States Department of Agriculture; and

90 (ii) establish a reimbursement system where the board provides a monthly
91 reimbursement to an LEA that provides a meal under Subsection (2); and

92 (b) may provide guidance and support to a school implementing the food waste
93 prevention strategies described in Subsection (6).

94 (4) An LEA may not:

95 (a) publicly identify or stigmatize a student unable to pay for a meal; or

96 (b) require a student to perform chores to pay for a meal unless the requirement applies

- 97 equally to all students regardless of whether the student pays for the meal.
- 98 (5) Communications from an LEA, regarding a student's meal debt, shall be directed only to
- 99 the student's parent.
- 100 (6) An LEA participating the National School Lunch Program or School Breakfast Program
- 101 shall consider, where feasible, reducing food waste by:
- 102 (a) following the education model health and wellness policy on nutrition; and
- 103 (b) establishing a share table program.

104 Section 3. **Effective Date.**

105 This bill takes effect on July 1, 2025.