

**Kristen Chevrier** proposes the following substitute bill:

**Foods Available at Schools Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kristen Chevrier**

Senate Sponsor: Heidi Balderree

---



---

**LONG TITLE**

**General Description:**

This bill amends provisions related to food additive prohibitions in a public school.

**Highlighted Provisions:**

This bill:

- defines terms;
- adds an exception related to food that is donated;
- phases out an exception related to small schools; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53G-9-205.2**, as enacted by Laws of Utah 2025, Chapter 466

---



---

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

Section 1. Section **53G-9-205.2** is amended to read:

**53G-9-205.2 . Definitions -- Prohibited food additives -- Exceptions.**

(1) As used in this section:

- (a) "FD&C" means the Federal Food, Drug, and Cosmetics Act, 21 C.F.R. Part 74.
- (b) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- (c) "School day" means the same as that terms is defined in Section 53G-6-201.
- (d) "School food pantry" means a noncommercial program a school or LEA operates, or partners with a nonprofit organization to operate, to provide food free of charge to a

29 student or the student's family to address food insecurity.

30 (2)(a) [~~Beginning in the 2026-2027 school year, a~~] A public school may not sell, donate,  
31 offer, or serve on school grounds during the school day, food that contains:

32 (i) potassium bromate;

33 (ii) propylparaben;

34 (iii) FD&C Blue No. 1;

35 (iv) FD&C Blue No. 2;

36 (v) FD&C Green No. 3;

37 (vi) FD&C Red No. 3;

38 (vii) FD&C Red No. 40;

39 (viii) FD&C Yellow No. 5; and

40 (ix) FD&C Yellow No. 6.

41 (b) Except as provided in Subsection (3), a person who sells, donates, offers, or serves a  
42 consumable item during the school day shall comply with the requirements under this  
43 section.

44 (3)(a) Notwithstanding Subsection (2)(b):

45 (i) a student's parent may provide students with a food item described in Subsection  
46 (2)(a) during the school day;

47 (ii) a teacher may provide students with a food item described in Subsection (2)(a) if  
48 the teacher obtains permission from the students' parents at the start of each school  
49 semester; [~~and~~]

50 (iii) an individual may donate a food item described in Subsection (2)(a) to a school's  
51 food pantry;

52 (iv) a public school may accept and distribute to a student a food item described in  
53 Subsection (2)(a) if the food item is a donated food item described in Subsection  
54 (3)(a)(iii); and

55 (v) a person may sell a food item described in Subsection (2)(a):

56 (A) as a concession item at a school-sponsored event or extra-curricular activity; or

57 (B) in a vending machine.

58 [~~(b) This section does not apply to a charter school or school district that has 5,500~~  
59 ~~students or fewer.]~~

60 (b) Beginning with the 2027-2028 school year, this section applies to a charter school or  
61 school district that has 5,500 students or fewer.

62 Section 2. **Effective Date.**

63     This bill takes effect on July 1, 2026.