

1 **School-based Food Pantry Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Emily Buss

House Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses foods available at a public school.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ defines terms;

8 ▶ exempts foods made available for distribution from a school-based food pantry (pantry),
9 including a teen center, from lawful presence verification requirements for receipt of a
10 food item from the pantry; and

11 ▶ makes technical and conforming changes.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **53G-9-205.2**, as enacted by Laws of Utah 2025, Chapter 466

19 ENACTS:

20 **53G-7-228**, Utah Code Annotated 1953

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

22 Section 1. Section **53G-7-228** is enacted to read:

23 **53G-7-228 . After school food program.**

24 (1) As used in this section:

25 (a)(i) "School based food pantry" means a location within or near a public school that
26 distributes food for students and families to consume outside of a school day.

27 (ii) "School-based food pantry" includes a teen center located within a public school.

28 (b) "Teen center" means a location within a public school that provides a student with
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31 support services, including access to a food pantry.

32 (2) If an LEA participates as a distribution point for a school-based food pantry, the LEA
 33 may not:

34 (a) deny a student who is younger than 18 years old or a parent of the student from
 35 receiving a school-based food pantry item; or

36 (b) if the student is 18 years old or older, require the student to provide evidence of
 37 lawful presence in the United States to receive a school-based food pantry item.

38 (3) Sections 53G-9-205.2, 63G-12-402, and 76-14-207 do not apply to a school-based food
 39 pantry item, whether a school-based food pantry is administered by an LEA, a state
 40 agency, a non-profit or for profit organization, or any other political subdivision of the
 41 state that receives or administers state or federal funds to fulfill the purposes of a
 42 school-based food pantry.

43 Section 2. Section **53G-9-205.2** is amended to read:

44 **53G-9-205.2 . Definitions -- Prohibited food additives -- Exceptions.**

45 (1) As used in this section:

46 (a) "FD&C" means the Federal Food, Drug, and Cosmetics Act, 21 C.F.R. Part 74.

47 (b) "Public school" means the same as that term is defined in Section 53G-9-205.1.

48 (c) "School day" means the same as that [terms] term is defined in Section 53G-6-201.

49 (2)(a) Beginning in the 2026-2027 school year, a public school may not sell, donate,
 50 offer, or serve on school grounds during the school day, food that contains:

51 (i) potassium bromate;

52 (ii) propylparaben;

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

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

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

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

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

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

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

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

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

64 (i) a student's parent may provide students with a food item described in Subsection

- 65 (2)(a) during the school day;
- 66 (ii) a teacher may provide students with a food item described in Subsection (2)(a) if
- 67 the teacher obtains permission from the students' parents at the start of each school
- 68 semester; and
- 69 (iii) a person may sell a food item described in Subsection (2)(a):
- 70 (A) as a concession item at a school-sponsored event or extra-curricular activity; or
- 71 (B) in a vending machine.
- 72 (b) This section does not apply to:
- 73 (i) a charter school or school district that has 5,500 students or fewer[-] ; or
- 74 (ii) an item distributed through a school-based food pantry, as that term is defined in
- 75 Section 53G-7-228.

76 **Section 3. Effective Date.**

77 This bill takes effect on May 6, 2026.