

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB1967

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Mullin

3. Committee: Education

4. Title: School meals; availability at no cost to students.

5. Summary: Provides that each school board shall require each public elementary and secondary school in the local school division to participate in the Community Eligibility Provision as provided in relevant law, if applicable, and removes the authority for the Superintendent of Public Instruction to issue a waiver of CEP participation. The bill also requires each public elementary and secondary school to make lunch and breakfast available to any student who requests such a meal at no cost to the student, unless the student's parent has provided written permission to the school board to withhold such a meal from the student. The bill also repeals provisions of law relating to the federal School Breakfast Program and to school meal debt that are rendered obsolete by the aforementioned provisions of the bill.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary, see Item 8

8. Fiscal Implications: This bill requires eligible schools to participate in the Community Eligibility Provision (CEP), which is a federal program that allows eligible, participating schools to serve breakfast and lunch at no cost to all enrolled students. Existing state law authorizes the Superintendent of Public Instruction to issue a waiver of CEP participation in the sole circumstance that an evaluation of a school or group of schools that is eligible to participate in CEP determines that participation in CEP is not financially viable. This bill eliminates those waivers. Schools with this waiver may incur additional local costs to participate in CEP. Any actual local impact is indeterminate at this time.

Additionally, the bill requires all schools, regardless of CEP participation, to make breakfast and lunch available at no cost to any student who requests such a meal. The Department of Education indicates that school divisions serve an estimated 30.1 million paid breakfasts per year and an estimated 61.7 million paid lunches per year. If schools are required to serve these meals to students at no cost, the fiscal impact to local school divisions would be significant. Any actual local impact is indeterminate at this time.

The state match for the National School Lunch Program is set by the federal government and does not increase as a result of additional lunch meals served by local school divisions. The state School Breakfast Program incentive payments are based on local breakfast meals served in excess of a prior year baseline, so local reimbursement requests could increase as a result of this bill. Any actual state fiscal impact is indeterminate at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Education, local school divisions

10. Technical Amendment Necessary: No

11. Other Comments: None