

HOUSE BILL NO. 648

INTRODUCED BY R. FARRIS-OLSEN

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A BILL FOR AN ACT ENTITLED: "AN ACT CREATING INCENTIVES FOR SCHOOLS TO INCREASE PARTICIPATION RATES IN SCHOOL BREAKFAST PROGRAMS; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Incentives for proven and effective breakfast service models. (1)

School districts with a qualifying school are eligible to receive an incentive under this section for increasing student participation in school breakfast programs through the use of proven and effective school breakfast models such as breakfast after the bell.

(2) (a) The office of public instruction shall distribute to school districts an incentive in the amount of 5 cents per free and reduced-price and paid breakfast served at a qualifying school of the district during the prior school year if:

(i) for a qualifying school with a breakfast participation rate of less than 70% in the prior year, the school has increased its number of free and reduced-price meal eligible students participating in the school breakfast program in the prior year by 10% or more from the year 2 years prior; and

(ii) for a qualifying school with a breakfast participation rate of greater than or equal to 70% in the prior year, the school has increased its number of free and reduced-price meal eligible students participating in the school breakfast program in the prior year by 5% or more from the year 2 years prior.

(b) If funding remains after distributing incentives to eligible schools under subsection (2)(a), all qualifying schools that maintain a breakfast participation rate of 80% or higher are eligible for the incentive program established under subsection (2)(a).

(c) To be eligible for the incentive under subsection (2)(a), a school shall opt in at the start of the school year as part of the survey under subsection (4)(c) to signal its interest and commitment to increasing breakfast participation.

(3) In consultation with the Montana no kid hungry campaign, the office of public instruction shall equitably distribute incentives under this section on or before October 1. If funding for incentives under this

1 section is insufficient, the office shall prorate the incentives accordingly. The trustees shall deposit incentives in
2 the school food services fund.

3 (4) The office of public instruction shall:

4 (a) advertise the availability of the incentives under this section on the office's public website to
5 encourage proven and effective breakfast delivery models;

6 (b) provide technical assistance to schools for the purpose of earning the incentives;

7 (c) collaborate with the Montana no kid hungry campaign to:

8 (i) survey schools at the start of every school year regarding the school breakfast programs and delivery
9 models and, as part of the survey, invite schools to opt in to participate in the incentive program; and

10 (ii) prepare an annual report to the governor and legislature on the annual cost, number, and percentage
11 of students who receive free or reduced-price breakfasts and the impacts of the incentive program.

12 (5) For the purposes of this section, the first incentive payments to districts would be made on or before
13 October 1, 2020, based on data collected for school fiscal year 2020 compared to school fiscal year 2019 counts.

14 (6) For the purposes of this section, the following definitions apply:

15 (a) "Breakfast participation rate" means the percentage of students eligible for free and reduced meals
16 that participate in a school's breakfast program.

17 (b) "Qualifying school" means a school in which 40% or more of the students were eligible for free or
18 reduced meals in the school year 2 years prior.

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20 **NEW SECTION. Section 2. Appropriation.** (1) There is appropriated \$250,000 from the general fund
21 to the office of public instruction for the fiscal year beginning July 1, 2020, for the purposes of [section 1].

22 (2) The legislature intends that the appropriation be considered as part of the ongoing base for the next
23 legislative session.

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25 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
26 integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2, apply to [section 1].

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28 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 2019.

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