

1 **** BILL NO. ****

2 INTRODUCED BY ****

3 BY REQUEST OF THE ****

4 **ELIMINATE REDUCED-PRICE CO-PAYS FOR SCHOOL LUNCH AND BREAKFAST**

5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A STATE PROGRAM TO PROVIDE
6 REPLACEMENT FUNDING FOR SCHOOL DISTRICTS THAT ELIMINATE REDUCED-PRICE COPAYMENTS
7 FOR SCHOOL LUNCH AND BREAKFAST; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN
8 APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

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

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11 **NEW SECTION. Section 1. State funding to eliminate reduced-price co-payments for school**

12 **lunch and breakfast -- legislative intent -- rulemaking.** (1) The legislature intends to strengthen the
13 opportunity of each child to develop the child's full educational potential in accordance with the goal of the
14 people articulated in Article X, section 1(1) of the Montana constitution and recognizes that:

15 (a) adequate and proper nutrition is a foundational requirement for learning; and

16 (b) requiring families that are eligible for reduced-price school meals under the federal school breakfast
17 program and national school lunch program to contribute to the cost of meals creates a barrier for participation
18 and a burden for school administrators for accounting and collection.

19 (2) From money appropriated for this purpose, the superintendent of public instruction, shall administer
20 a program to distribute replacement funds to school districts electing to eliminate required reduced-price co-
21 payments from reduced-price eligible pupils for school lunch and breakfast under a federal program. The
22 superintendent shall adopt rules necessary to administer the program.

23 (3) If appropriated funds are insufficient for the program, the superintendent of public instruction:

24 (a) may accept donations from private or out-of-state public sources to support the program; and

25 (b) shall request additional funding sufficient to support the program in the subsequent biennium.

26 (4) For the purposes of this section, the following definitions apply:

27 (a) "Reduced-price copayment" means the amount a reduced-price eligible pupil is charged for
28 reduced-price school meals; and

1 (b) "Reduced-price eligible pupil" means a pupil whose family income meets the federal income
2 eligibility requirements for reduced-price school meals pursuant to the national school lunch program and the
3 federal school breakfast program.

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5 **NEW SECTION. Section 2. Appropriation.** (1) There is appropriated \$600,000 from the state
6 general fund to the office of public instruction for each of fiscal years 2022 and 2023 for the purposes described
7 in [section 1].

8 (2) The legislature intends that the appropriation in subsection (1) be considered part of the ongoing
9 base for the next legislative session.

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11 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
12 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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14 **COORDINATION SECTION. Section 4. Coordination instruction.** If both House Bill No. 2 and [this
15 act] are passed and approved and if House Bill No. 2 includes an appropriation for the purposes of [section 1 of
16 this act], then [section 2 of this act] is void.

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18 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2021.

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20 - END -