

SECOND REGULAR SESSION

HOUSE BILL NO. 2613

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HEIN.

5064H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to school meals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be
2 known as section 167.202, to read as follows:

3 **167.202. 1. This section shall be known and may be cited as the "Missouri Free**
4 **School Meals Program".**

5 **2. As used in this section, the term "school" shall mean any school district,**
6 **public school, charter school, or private, religious, or parochial school.**

7 **3. Each school that participates in the United States Department of Agriculture**
8 **National School Lunch Program and has an identified student percentage below the**
9 **federal percentage determined for all meals to be reimbursed at the free rate through**
10 **the United States Department of Agriculture Community Eligibility Provision shall**
11 **participate in the Missouri free school meals program.**

12 **4. Each school that participates in the United States Department of Agriculture**
13 **National School Lunch Program and has an identified student percentage at or above**
14 **the federal percentage determined for all meals to be reimbursed at the free rate**
15 **through the United States Department of Agriculture Community Eligibility Provision**
16 **shall participate in the Community Eligibility Provision in order to participate in the**
17 **Missouri free school meals program.**

18 **5. Each school that participates in the Missouri free school meals program shall:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 **(1) Participate in the United States Department of Agriculture School Breakfast**
18 **Program and the United States Department of Agriculture National School Lunch**
19 **Program; and**

20 **(2) Provide to all students at no cost up to two federally reimbursable meals per**
21 **school day, with a maximum of one free breakfast and one free lunch.**

22 **6. The department of elementary and secondary education shall provide to every**
23 **school participating in the Missouri free school meals program state aid for each school**
24 **lunch and breakfast served to a student, with a maximum of one breakfast and one**
25 **lunch per student per school day. The amount of state aid per meal shall be equal to the**
26 **difference between the applicable federal reimbursement rate at that school site for a**
27 **free meal, as determined annually by the United States Department of Agriculture, and**
28 **the actual federal reimbursement received by the participating school for the breakfast**
29 **or lunch served to the student.**

30 **7. The department of elementary and secondary education shall promulgate**
31 **rules to implement the provisions of this section. Any rule or portion of a rule, as that**
32 **term is defined in section 536.010, that is created under the authority delegated in this**
33 **section shall become effective only if it complies with and is subject to all of the**
34 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
35 **536 are nonseverable and if any of the powers vested with the general assembly**
36 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
37 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
38 **and any rule proposed or adopted after the effective date of this section shall be invalid**
39 **and void.**

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