

**CHAPTER 301**  
**SB 82-FN - FINAL VERSION**

5Jun2019... 2145h  
06/27/2019 2518CofC

2019 SESSION

19-0836  
06/04

SENATE BILL            ***82-FN***

AN ACT                relative to school food and nutrition programs.

SPONSORS:            Sen. Fuller Clark, Dist 21; Sen. Hennessey, Dist 5; Sen. Levesque, Dist 12; Sen. Kahn, Dist 10; Sen. Cavanaugh, Dist 16; Rep. K. Murray, Rock. 24; Rep. Wallner, Merr. 10; Rep. Weyler, Rock. 13

COMMITTEE:          Finance

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AMENDED ANALYSIS

This bill requires schools to make at least one free or reduced cost meal available to children who meet federal eligibility guidelines and increases reimbursement to schools offering breakfast at no cost to eligible students.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                      relative to school food and nutrition programs.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            301:1 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, I to read as follows:

2            I. Each school board shall make [a] **at least one** meal available during school hours to every  
3 pupil under its jurisdiction. Such meals shall be served without cost or at a reduced cost to any  
4 [needy] child who [is unable to pay the full cost of said meals] **meets federal income eligibility**  
5 **guidelines**. The state board of education shall [insure] **ensure** compliance with this section and  
6 shall establish minimum nutritional standards for such meals [and shall further establish] **as well**  
7 **as** income guidelines [setting forth] **set for** the [minimum] family size [annual income levels to be]  
8 used in determining eligibility for free and reduced price meals. Nothing in this section shall  
9 prohibit the operation of both a breakfast and lunch program in the same school. [Further any  
10 requirement of this section which conflicts with any federal statute or regulation may be waived by  
11 the state board of education.]

12           301:2 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, VII(b) to read as  
13 follows:

14           (b) Such school which demonstrates to the department of education that an approved  
15 school wellness policy, as required under the [Child Nutrition and WIC Reauthorization Act of 2004]  
16 **Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell**  
17 **National School Lunch Act, 42 U.S.C. section 1758b** is in effect, and that such school is  
18 providing breakfast meals to pupils that meet or exceed the United States Department of  
19 Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each  
20 breakfast meal served to a pupil **and an additional 27 cent reimbursement for each meal**  
21 **served to students eligible for a reduced price meal**. The department of education shall request  
22 biennial appropriations in an amount sufficient to meet projected school breakfast reimbursements  
23 **to ensure students eligible for reduced price meals are offered breakfast at no cost**. The  
24 department of education shall prescribe forms as necessary under this paragraph.

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27           301:3 Effective Date. This act shall take effect July 1, 2019.

Approved: August 05, 2019  
Effective Date: July 01, 2019

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