

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 123

(SENATE AUTHORS: GUSTAFSON, Kunesh, Maye Quade, Mann and Hauschild)
DATE D-PG OFFICIAL STATUS
01/10/2023 126 Introduction and first reading
Referred to Education Policy

1.1 A bill for an act
1.2 relating to education; providing for school lunch and breakfast for all students;
1.3 amending Minnesota Statutes 2022, sections 124D.111, subdivisions 1a, 4;
1.4 124D.1158, subdivisions 1, 3, 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 124D.111, subdivision 1a, is amended to read:

1.7 Subd. 1a. **School lunch aid amounts.** ~~Each school year, the state must pay participants~~
1.8 ~~in the national school lunch program the amount of 12.5 cents for each full paid and free~~
1.9 ~~student lunch and 52.5 cents for each reduced-price lunch served to students.~~

1.10 (a) Any Minnesota school that participates in the United States Department of Agriculture
1.11 National School Lunch Program must provide, at no cost, a federally reimbursable lunch
1.12 to all enrolled students each school day. A participating school with an Identified Student
1.13 Percentage at or above the federal percentage determined for all meals to be reimbursed at
1.14 the free rate must participate in the Community Eligibility Provision.

1.15 (b) The department must provide to every Minnesota school providing meals to students
1.16 under paragraph (a) funding equal to the difference between the federal reimbursement and
1.17 the average cost of a school meal as annually defined by the United States Department of
1.18 Agriculture.

1.19 Sec. 2. Minnesota Statutes 2022, section 124D.111, subdivision 4, is amended to read:

1.20 Subd. 4. **No fees.** A participant that receives school lunch aid under this section must
1.21 make lunch available without charge and must not deny a school lunch to ~~all participating~~
1.22 ~~students who qualify for free or reduced-price meals~~ any student, whether or not that student

2.1 has an outstanding balance in the student's meals account attributable to a la carte purchases
 2.2 or for any other reason.

2.3 Sec. 3. Minnesota Statutes 2022, section 124D.1158, subdivision 1, is amended to read:

2.4 Subdivision 1. **Purpose.** The purpose of the school breakfast program is to provide
 2.5 affordable morning nutrition to children so that they can effectively learn. Any Minnesota
 2.6 school that participates in the United States Department of Agriculture School Breakfast
 2.7 Program must provide, at no cost, a federally reimbursable breakfast to all enrolled students
 2.8 each school day. Public and nonpublic schools that participate in the federal school breakfast
 2.9 program may receive state breakfast aid. Schools shall encourage all children to eat a
 2.10 nutritious breakfast, either at home or at school, and shall work to eliminate barriers to
 2.11 breakfast participation at school such as inadequate facilities and transportation.

2.12 Sec. 4. Minnesota Statutes 2022, section 124D.1158, subdivision 3, is amended to read:

2.13 Subd. 3. **Program reimbursement.** ~~Each school year, the state must reimburse each~~
 2.14 ~~participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid~~
 2.15 ~~breakfast served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served~~
 2.16 ~~to a prekindergarten student enrolled in an approved voluntary prekindergarten program~~
 2.17 ~~under section 124D.151 or a kindergarten student.~~ The department must provide to every
 2.18 Minnesota school participating in the federal School Breakfast Program funding equal to
 2.19 the difference between the federal reimbursement and the average cost of a school breakfast
 2.20 as annually defined by the United States Department of Agriculture.

2.21 Sec. 5. Minnesota Statutes 2022, section 124D.1158, subdivision 4, is amended to read:

2.22 Subd. 4. **No fees.** A school that receives school breakfast aid under this section must
 2.23 make breakfast available without charge to all ~~participating~~ students in grades 1 to 12 ~~who~~
 2.24 ~~qualify for free or reduced-price meals~~ and to all prekindergarten students enrolled in an
 2.25 approved voluntary prekindergarten program under section 124D.151, early childhood
 2.26 special education students participating in a program authorized under section 124D.151,
 2.27 and all kindergarten students.