

By: Talarico

H.B. No. 4112

A BILL TO BE ENTITLED

AN ACT

relating to funding for the provision of meals to public school students with insufficient balances on prepaid meal cards or meal accounts.

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

SECTION 1. Section 33.908, Education Code, is amended to read as follows:

Sec. 33.908. FUNDING [~~GRACE PERIOD POLICY~~] FOR EXHAUSTED OR INSUFFICIENT MEAL CARD OR ACCOUNT BALANCE. (a) Each [~~The board of trustees of a~~] school district that allows students to use a prepaid meal card or account to purchase meals served at a campus [~~schools~~] in the district [~~shall adopt a grace period policy regarding the use of the cards or accounts. The policy~~]:

(1) must allow a student whose meal card or account balance is exhausted or insufficient to continue, for the entire school year [~~a period determined by the board~~], to purchase meals by:

(A) accumulating a negative balance on the student's card or account; or

(B) otherwise receiving an extension of credit from the district; and

(2) [~~must require the district to notify the parent of or person standing in parental relation to the student that the student's meal card or account balance is exhausted,~~

1 ~~[(3)]~~ may not ~~[permit the district to]~~ charge a fee or
2 interest in connection with meals purchased under Subdivision (1) ~~[+~~
3 ~~and~~

4 ~~[(4) may permit the district to set a schedule for~~
5 ~~repayment on the account balance as part of the notice to the parent~~
6 ~~or person standing in parental relation to the student]~~.

7 (b) At the end of each school year, from funds available for
8 the purpose, the agency shall provide a grant to each district in
9 the amount necessary to pay the negative balance for each student
10 whose meal card or account balance is exhausted or insufficient,
11 excluding:

12 (1) any amount the school district received from
13 private donations from individuals and entities for the purpose of
14 paying the negative balance on a student's meal card or account; and

15 (2) any amount of reimbursement to which the district
16 is entitled under federal law.

17 SECTION 2. This Act applies beginning with the 2021-2022
18 school year.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2021.