

By: Lucio

S.B. No. 417

A BILL TO BE ENTITLED

AN ACT

relating to the provision of free breakfast to all enrolled students in certain school districts and campuses.

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

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Sections 33.9011 and 33.9012 to read as follows:

Sec. 33.9011. OPERATION OF BREAKFAST PROGRAMS IN CERTAIN DISTRICTS. (a) If at least 60 percent of the students enrolled in a school district are eligible to participate in the national free or reduced-price breakfast program established under 42 U.S.C. Section 1751 et seq., the district shall consider seeking approval to act under the appropriate special assistance provision of the program that allows the district to:

(1) offer free breakfast to all students enrolled at each campus in the district; and

(2) reduce administrative costs and requirements associated with the program.

(b) If less than 60 percent of the students enrolled in a school district are eligible to participate in the national free or reduced-price breakfast program but at least 60 percent of the students enrolled at a particular district campus are eligible to participate in the program, the school district may seek approval to act under the appropriate special assistance provision of the program as provided by Subsection (a) on behalf of the campus.

1        (c) A school district that does not have sufficient funds to  
2 provide free breakfast to all students enrolled in the district as  
3 provided by Subsection (a) or to all students enrolled at a district  
4 campus as provided by Subsection (b) may apply to a nonprofit  
5 organization, governmental entity, or other source for a grant for  
6 that purpose.

7        Sec. 33.9012. BREAKFAST FUND; GIFTS, GRANTS, AND DONATIONS.

8        (a) The breakfast fund is an account established in the general  
9 revenue fund. The fund is composed of money appropriated to the  
10 fund and gifts, grants, and donations accepted for the fund under  
11 this section. Money in the breakfast fund may be appropriated only  
12 to the agency to provide grants to school districts to operate  
13 breakfast programs under Section 33.9011.

14        (b) The agency may seek and accept gifts, grants, and  
15 donations for the breakfast fund from appropriate nonprofit  
16 foundations, governmental entities, and other sources.

17        (c) All gifts, grants, and donations of money accepted under  
18 this section shall be deposited to the credit of the breakfast fund.

19        SECTION 2. This Act applies beginning with the 2007-2008  
20 school year.

21        SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2007.