

By: Lucio

S.B. No. 868

A BILL TO BE ENTITLED

AN ACT

relating to free breakfast for certain public school students.

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

SECTION 1. Section 33.901, Education Code, is amended to read as follows:

Sec. 33.901. BREAKFAST PROGRAMS. (a) If at least 10 percent of the students enrolled in one or more schools in a school district or enrolled in an open-enrollment charter school are eligible for free or reduced-price breakfasts under the national school breakfast program provided for by the Child Nutrition Act of 1966 (42 U.S.C. Section 1773), the governing body of the district or the open-enrollment charter school shall participate in the program and make the benefits of the program available to all eligible students in the schools or school.

(b) A school district campus or an open-enrollment charter school participating in the national school breakfast program provided by the Child Nutrition Act of 1966 (42 U.S.C. Section 1773) in which 60 percent or more of the students qualify for a free or reduced-price breakfast shall provide a free breakfast to an elementary school student during school hours. The Department of Agriculture shall reimburse the school district or open-enrollment charter school for any lost revenue or additional cost resulting from a free breakfast provided under this subsection.

(c) The Department of Agriculture may adopt rules necessary

1 to implement this section.

2 SECTION 2. This Act applies beginning with the 2009-2010
3 school year.

4 SECTION 3. This Act takes effect September 1, 2009.