

1-1 By: Bonnen of Galveston, Paul H.B. No. 1305
 1-2 (Senate Sponsor - Taylor of Galveston)
 1-3 (In the Senate - Received from the House May 7, 2015;
 1-4 May 11, 2015, read first time and referred to Committee on
 1-5 Education; May 19, 2015, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-7 May 19, 2015, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Taylor of Galveston	X			
1-10 Lucio	X			
1-11 Bettencourt			X	
1-12 Campbell	X			
1-13 Garcia	X			
1-14 Huffines			X	
1-15 Kolthorst			X	
1-16 Rodríguez	X			
1-17 Seliger	X			
1-18 Taylor of Collin	X			
1-19 West	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 1305 By: Taylor of Galveston

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to a program to provide a free or reduced-price breakfast
 1-25 to eligible students attending a public school and the method of
 1-26 determining the number of educationally disadvantaged students.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 33.901, Education Code, is amended by
 1-29 amending Subsections (a) and (b) and adding Subsection (a-1) to
 1-30 read as follows:

1-31 (a) If at least 10 percent of the students enrolled in one or
 1-32 more schools in a school district or enrolled in an open-enrollment
 1-33 charter school are eligible for free or reduced-price breakfasts
 1-34 under the national school breakfast program provided for by the
 1-35 Child Nutrition Act of 1966 (42 U.S.C. Section 1773), the board of
 1-36 trustees of the school district or the governing body of the
 1-37 open-enrollment charter school shall either:

1-38 (1) participate in the national program and make the
 1-39 benefits of the national program available to all eligible students
 1-40 in the schools or school; or

1-41 (2) develop and implement a locally funded program to
 1-42 provide free meals, including breakfast and lunch, to each student
 1-43 eligible for free meals under federal law and reduced-price meals,
 1-44 including breakfast and lunch, to each student eligible for
 1-45 reduced-price meals under federal law, provided that the reduced
 1-46 price may not exceed the maximum allowable rate under federal law.

1-47 (a-1) A school district is permitted under Subsection (a) to
 1-48 participate in the national program at one or more campuses in the
 1-49 district and provide a locally funded program at one or more other
 1-50 campuses in the district.

1-51 (b) A school district campus or an open-enrollment charter
 1-52 school participating in the national school breakfast program
 1-53 provided by the Child Nutrition Act of 1966 (42 U.S.C. Section 1773)
 1-54 or providing a locally funded program in which 80 percent or more of
 1-55 the students qualify under the national program for a free or
 1-56 reduced-price breakfast shall offer a free breakfast to each
 1-57 student.

1-58 SECTION 2. Section 42.152(b), Education Code, is amended to
 1-59 read as follows:

1-60 (b) For purposes of this section, the number of

2-1 educationally disadvantaged students is determined:

2-2 (1) by averaging the best six months' numbers of
2-3 students eligible for enrollment in the national school lunch
2-4 program of free or reduced-price lunches for the preceding school
2-5 year; or

2-6 (2) in the manner provided by commissioner rule~~[, if~~
2-7 ~~no campus in the district participated in the national school lunch~~
2-8 ~~program of free or reduced-price lunches during the preceding~~
2-9 ~~school year]~~.

2-10 SECTION 3. This Act applies beginning with the 2015-2016
2-11 school year.

2-12 SECTION 4. This Act takes effect immediately if it receives
2-13 a vote of two-thirds of all the members elected to each house, as
2-14 provided by Section 39, Article III, Texas Constitution. If this
2-15 Act does not receive the vote necessary for immediate effect, this
2-16 Act takes effect September 1, 2015.

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