

By: Hall

S.B. No. 1308

A BILL TO BE ENTITLED

AN ACT

relating to the program to provide free or reduced-price meals to certain public school students.

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

SECTION 1. Sections 33.901(a) and (b), Education Code, are amended to read as follows:

(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 board of trustees of the school district or the governing body of the open-enrollment charter school may ~~[shall either]~~:

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

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

(b) A school district campus or an open-enrollment charter school participating in the national school breakfast program

1 provided for by the Child Nutrition Act of 1966 (42 U.S.C. Section  
2 1773) or providing a locally funded program in which 80 percent or  
3 more of the students qualify under the national program for a free  
4 or reduced-price breakfast may [~~shall~~] offer a free breakfast to  
5 each student.

6 SECTION 2. Section 33.901(c), Education Code, is repealed.

7 SECTION 3. This Act applies beginning with the 2017-2018  
8 school year.

9 SECTION 4. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2017.