

Sixty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1475

Introduced by

Representatives Hatlestad, Conmy, Hager, Ista, Jonas, Novak, Schreiber-Beck, Holle

Senators Cleary, Mathern

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota
2 Century Code, relating to providing breakfast and lunch to all students of participating entities,
3 including school districts, nonpublic schools, and tribal schools, at no cost to the student.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Healthy school meals for all students.**

- 8 1. As used in this section, "participating entity" includes a school district, nonpublic
9 school, and tribal school.
- 10 2. The superintendent of public instruction shall reimburse a participating entity for
11 providing meals for students enrolled in kindergarten through grade twelve at no cost
12 to the student.
- 13 3. The superintendent may adopt rules under chapter 28-32 to implement this section.
- 14 4. The reimbursement is equal to the applicable federal free reimbursement rate
15 multiplied by the number of meals served, less the amount of other federal or state
16 reimbursement the participating entity receives for providing meals.
- 17 5. To participate under this section, a participating entity shall apply to the superintendent
18 of public instruction. The superintendent of public instruction shall approve a
19 participating entity's application if the participating entity:
- 20 a. Participates in the national school lunch program under the Richard B. Russell
21 National School Lunch Act [42 U.S.C. 1751 et seq.] and the federal school
22 breakfast program under the Child Nutrition Act of 1966 [42 U.S.C. 1771 et seq.].
- 23 b. Provides breakfast and lunch at no cost to students under a school breakfast
24 program or school lunch program operated by the participating entity.

- 1 c. Submits information regarding the number of breakfasts and lunches served.
- 2 d. Maximizes federal reimbursement for meals by operating under the community
- 3 eligibility provision under the Richard B. Russell National School Lunch Act
- 4 [42 U.S.C 1751 to 1769j] if the participating entity is eligible to participate.
- 5 e. Meets applicable federal and state standards for school breakfast and lunch
- 6 programs.
- 7 f. Encourages parents and legal guardians to provide relevant family income
- 8 information to determine student eligibility for federal free or reduced cost meal
- 9 reimbursement rates, the community eligibility provision under the Richard B.
- 10 Russell National School Lunch Act [42 U.S.C. 1751 to 1769j] eligibility
- 11 determinations, and other educational benefits.
- 12 g. Provides meals to accommodate a student's disability or medical need that
- 13 restricts the student's diet, if the disability or medical need is documented and
- 14 certified by a licensed physician or medical professional.

15 **SECTION 2. APPROPRIATION - SUPERINTENDENT OF PUBLIC INSTRUCTION -**

16 **HEALTHY SCHOOL MEALS FOR ALL STUDENTS.** There is appropriated out of any moneys
17 in the general fund in the state treasury, not otherwise appropriated, the sum of \$140,000,000,
18 or so much of the sum as may be necessary, to the superintendent of public instruction for the
19 purpose of reimbursing participating entities, including school districts, nonpublic schools, and
20 tribal schools for providing breakfast and lunch to students at no cost to the student, for the
21 biennium beginning July 1, 2025, and ending June 30, 2027.