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## A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 302A-404, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§302A-404 School meals[-]; universal free school  
4 breakfast and lunch. (a) School meals shall be made available  
5 under the school meals program in every school where the  
6 students are required to eat meals at school.

7           (b) Beginning with the 2024-2025 school year, free school  
8 breakfast shall be provided to every student enrolled in a  
9 department school, regardless of a student's eligibility for  
10 participation in the federal school breakfast program. Free  
11 school breakfast shall meet the meal requirements for breakfasts  
12 established pursuant to title 7 Code of Federal Regulations  
13 section 220.8.

14           (c) Beginning with the 2024-2025 school year, free school  
15 lunch shall be provided to every student enrolled in a  
16 department school, regardless of a student's eligibility for  
17 participation in the national school lunch program. Free school



1 lunch shall meet the meal requirements for lunches established  
2 pursuant to title 7 Code of Federal Regulations section 210.10.

3 ~~[(b)]~~ (d) No student requesting a meal shall be denied a  
4 meal ~~[solely for failure to pay:~~

5 ~~-(1) Within the first twenty-one days of the first semester~~  
6 ~~of a school year while the student's application for~~  
7 ~~free or reduced lunch is being processed; or~~

8 ~~-(2) Within seven days after a student's meal fund account~~  
9 ~~reaches a zero or negative balance.~~

10 ~~-(c) The department may adopt rules or policies governing~~  
11 ~~the collection of funds for student meal accounts with a~~  
12 ~~negative fund balance; provided that no rule or policy shall~~  
13 ~~prohibit feeding a student as required pursuant to subsection~~  
14 ~~(b).]~~

15 (e) It is the intent of this section not to jeopardize the  
16 receipt of any federal aid and to the extent, and only to the  
17 extent necessary to effectuate this intent, the governor may  
18 modify the strict provisions of this section, but shall promptly  
19 report any such modification with the governor's reasons  
20 therefor to the next succeeding session of the legislature for  
21 review."



1 SECTION 2. Section 302A-405, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) [~~The~~] Except as provided in section 302A-404(b) and  
4 (c), the price for school meals shall be set by the department  
5 to ensure that moneys received from the sale of the meals shall  
6 be [~~not~~] no less than one-half of the cost of preparing the  
7 meals. The prices for school meals may be adjusted annually  
8 based on the previous year's costs rounded to the nearest five  
9 cents; provided that the department by rule shall provide a  
10 lower rate or free meals to children based on their economic  
11 need."

12 SECTION 3. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so  
14 much thereof as may be necessary for fiscal year 2024-2025 to  
15 the Hawaii child nutrition programs for the total plate costs  
16 associated with providing universal free school breakfasts and  
17 lunches in department of education schools as required by this  
18 Act after federal funding has been accounted.

19 The sum appropriated shall be expended by the department of  
20 education for the purposes of this Act.



1 SECTION 4. In accordance with section 9 of article VII of  
2 the Hawaii State Constitution and sections 37-91 and 37-93,  
3 Hawaii Revised Statutes, the legislature has determined that the  
4 appropriations contained in H.B. No. , will cause the state  
5 general fund expenditure ceiling for fiscal year 2024-2025 to be  
6 exceeded by \$ or per cent. In addition, the  
7 appropriation contained in this Act will cause the general fund  
8 expenditure ceiling for fiscal year 2024-2025 to be further  
9 exceeded by \$ or per cent. The combined total  
10 amount of general fund appropriations contained in only these  
11 two Acts will cause the state general fund expenditure ceiling  
12 for fiscal year 2024-2025 to be exceeded by  
13 \$ or per cent. The reasons for exceeding the  
14 general fund expenditure ceiling are that:

- 15 (1) The appropriation made in this Act is necessary to  
16 serve the public interest; and  
17 (2) The appropriation made in this Act meets the needs  
18 addressed by this Act.

19 SECTION 5. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

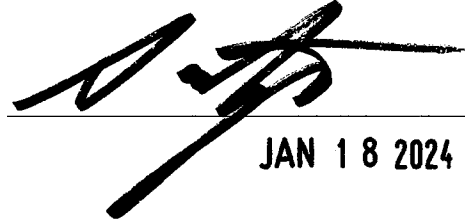
21 SECTION 6. This Act shall take effect on July 1, 2024.



H.B. NO. 1775

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INTRODUCED BY:

  
\_\_\_\_\_

JAN 18 2024



# H.B. NO. 1775

**Report Title:**

Universal Free School Breakfasts and Lunches; DOE;  
Appropriation; Expenditure Ceiling

**Description:**

Beginning with the 2024-2025 school year, requires the Department of Education to provide free breakfast and lunch to all students enrolled in department schools. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

