
A BILL FOR AN ACT

RELATING TO SCHOOL MEALS.

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[-]; free school breakfast and**
4 **lunch.** (a) School meals shall be made available under the
5 school meals program in every school where the students are
6 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 who:

- 10 (1) Qualifies based on the student's household eligibility
11 for reduced price breakfast under the federal school
12 breakfast program or any other federal program for
13 free and reduced price school meals;
14 (2) Submits an application to the department; and
15 (3) Has their application approved by the department.



1 Free school breakfast shall meet the meal requirements for
2 breakfasts established pursuant to title 7 Code of Federal
3 Regulations section 220.8.

4 (c) Beginning with the 2024-2025 school year, free school
5 lunch shall be provided to any student enrolled in a department
6 school who:

7 (1) Qualifies based on the student's household eligibility
8 for reduced price lunch under the federal National
9 School Lunch Program;

10 (2) Submits an application to the department; and

11 (3) Has their application approved by the department.

12 Free school lunch shall meet the meal requirements for lunches
13 established pursuant to title 7 Code of Federal Regulations
14 section 210.10.

15 ~~(b)~~ (d) No student shall be denied a meal solely for
16 failure to pay:

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

20 (2) Within seven days after a student's meal fund account
21 reaches a zero or negative balance.



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1 ~~[(e)]~~ (e) The department may adopt rules or policies
2 governing the collection of funds for student meal accounts with
3 a negative fund balance; provided that no rule or policy shall
4 prohibit feeding a student as required pursuant to subsection
5 (b).

6 (f) It is the intent of this section not to jeopardize the
7 receipt of any federal aid and to the extent, and only to the
8 extent necessary to effectuate this intent, the governor may
9 modify the strict provisions of this section, but shall promptly
10 report any such modification with the governor's reasons
11 therefor to the next succeeding session of the legislature for
12 review."

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

15 "(a) ~~[The]~~ Except as provided in section 302A-404(b) and
16 (c), the price for school meals shall be set by the department
17 to ensure that moneys received from the sale of the meals shall
18 be ~~[not]~~ no less than one-half of the cost of preparing the
19 meals. The prices for school meals may be adjusted annually
20 based on the previous year's costs rounded to the nearest five
21 cents; provided that the department by rule shall provide a



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1 lower rate or free meals to children based on their economic
2 need."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2024-2025 for
6 the total plate costs associated with providing free school
7 breakfasts and lunches in department of education schools as
8 required by this Act after federal funding has been accounted.

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

11 SECTION 4. In accordance with section 9 of article VII of
12 the Hawaii State Constitution and sections 37-91 and 37-93,
13 Hawaii Revised Statutes, the legislature has determined that the
14 appropriations contained in H.B. No. , will cause the state
15 general fund expenditure ceiling for fiscal year 2024-2025 to be
16 exceeded by \$ or per cent. In addition, the
17 appropriation contained in this Act will cause the general fund
18 expenditure ceiling for fiscal year 2024-2025 to be further
19 exceeded by \$ or per cent. The combined total
20 amount of general fund appropriations contained in only these
21 two Acts will cause the state general fund expenditure ceiling



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1 for fiscal year 2024-2025 to be exceeded by
2 \$ or per cent. The reasons for exceeding the
3 general fund expenditure ceiling are that:

4 (1) The appropriation made in this Act is necessary to
5 serve the public interest; and


6 (2) The appropriation made in this Act meets the needs
7 addressed by this Act.

8 SECTION 5. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

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

11

INTRODUCED BY:



JAN 22 2024



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Report Title:

Department of Education; Free School Breakfasts and Lunches;
Appropriation; Expenditure Ceiling

Description:

Beginning with the 2024-2025 school year, requires the Department of Education to provide free breakfast and lunch to students enrolled in a public school who meet certain requirements. 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.

