

JAN 19 2024

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.



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INTRODUCED BY:

A handwritten signature in black ink, appearing to be a stylized 'R' or similar character, positioned above a horizontal line.

S.B. NO. 2327

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.

