

JAN 15 2025

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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. The legislature finds that food insecurity  
2 impacts one in three households in Hawaii, creating substantial  
3 health and educational barriers for children statewide. Food-  
4 insecure students are at higher risk of stress, depression, and  
5 chronic illness, all of which undermine the ability to focus,  
6 engage in the classroom, and reach their full academic  
7 potential.

8       The legislature further finds that the current income  
9 eligibility threshold for free school meals, which requires a  
10 family of four to earn less than \$47,000 annually, is far too  
11 low, as around \$110,000 would be needed to cover basic living  
12 costs in Hawaii. This restrictive income cap excludes countless  
13 families struggling with food insecurity, leaving children  
14 without access to essential nutrition solely due to arbitrary  
15 financial limitations.

16       The legislature also finds that universal free school meal  
17 programs improve educational outcomes. Eight states have



1 adopted free school meals, with research showing that access to  
2 free meals can increase test scores at a rate equivalent to six  
3 additional weeks of school. Offering free, nutritious meals to  
4 all students would create a more equitable school environment,  
5 remove stigmas associated with free meal programs, and foster  
6 the physical and mental health of Hawaii's children.

7 Accordingly, the purpose of this Act is to establish a  
8 universal free school breakfast and lunch program.

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

11 **"§302A-404 School meals[-]; universal free school**  
12 **breakfast and lunch.** (a) School meals shall be made available  
13 under the school meals program in every school where the  
14 students are required to eat meals at school.

15 (b) Beginning with the 2025-2026 school year, free school  
16 breakfast shall be provided to every student enrolled in a  
17 department school, regardless of a student's eligibility for  
18 participation in the federal school breakfast program. Free  
19 school breakfast shall meet the meal requirements for breakfasts  
20 established pursuant to title 7 Code of Federal Regulations  
21 section 220.8.



1        (c) Beginning with the 2025-2026 school year, free school  
2 lunch shall be provided to every student enrolled in a  
3 department school, regardless of a student's eligibility for  
4 participation in the national school lunch program. Free school  
5 lunch shall meet the meal requirements for lunches established  
6 pursuant to title 7 Code of Federal Regulations section 210.10.

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

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

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

14        ~~(e) The department may adopt rules or policies governing~~  
15 ~~the collection of funds for student meal accounts with a~~  
16 ~~negative fund balance; provided that no rule or policy shall~~  
17 ~~prohibit feeding a student as required pursuant to subsection~~  
18 ~~(b)].~~

19        (e) It is the intent of this section not to jeopardize the  
20 receipt of any federal aid and to the extent, and only to the  
21 extent necessary to effectuate this intent, the governor may



1 modify the strict provisions of this section, but shall promptly  
2 report any such modification with the governor's reasons  
3 therefor to the next succeeding session of the legislature for  
4 review."

5 SECTION 3. Section 302A-405, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

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

16 SECTION 4. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ or so  
18 much thereof as may be necessary for fiscal year 2025-2026 and  
19 the same sum or so much thereof as may be necessary for fiscal  
20 year 2026-2027 to the department of education's school food  
21 services branch for the total plate costs associated with



1 providing universal free school breakfasts and lunches in  
2 department of education schools as required by this Act after  
3 federal funding has been accounted.

4 The sums appropriated shall be expended by the department  
5 of education for the purposes of this Act.

6 SECTION 5. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:

P/K Dan Wilber



# S.B. NO. 43

**Report Title:**

Universal Free School Breakfasts and Lunches; DOE; Appropriation

**Description:**

Beginning with the 2025-2026 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.*

2025-0296 SB HMSO-1

