

**ACT 26**

S.B. NO. 160

A Bill for an Act Relating to School Meals.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The intent of this Act is to modify the manner in which school meal prices, including lunch and breakfast, are determined. With the ris-

ing costs of food, fuel, and labor, the department of education requires a better method of determining the price of school meals. Currently, the cost of school lunch is limited to one-half of the cost of preparing the lunch. This Act provides the department of education with greater fiscal flexibility in the preparation of meals by requiring the department of set meal prices at not less than one-half of the cost of preparing meals. The Act also defines “school meals”.

SECTION 2. Section 302A-101, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““School meals” means breakfast and lunch prepared and served by a school cafeteria.”

SECTION 3. Section 302A-404, Hawaii Revised Statutes, is amended to read as follows:

~~“[§302A-404] School [lunches-] meals. School [lunches] meals shall be made available under the school [lunch] meals program in every school where the students are required to eat [lunch] meals at school.”~~

SECTION 4. Section 302A-405, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

~~“(a) The price for [the] school [lunch] meals shall be set by the department to ensure that moneys received from the sale of the [lunches may] meals shall be not less than [up to] one-half of the cost of preparing the [school lunch] meals. The [price] prices for [the] school [lunch shall] meals may be adjusted annually based on the [average cost of preparing the school lunch over the three years preceding any increase:] previous year’s costs rounded to the nearest five cents; provided that the department by rule shall provide a lower rate or free [lunches] meals to children based on their economic need.”~~

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 6. This Act shall take effect on July 1, 2009.

(Approved April 30, 2009.)