

HOUSE BILL NO. 551

INTRODUCED BY M. ROMANO, J. REAVIS, B. EDWARDS, J. ISALY, M. LEE, P. STRAND, T. CROWE, J. SECKINGER, B. CLOSE, S. FYANT, J. WEBER, J. SOOKTIS, A. GRIFFITH, D. POWERS, M. CUNNINGHAM, T. RUNNING WOLF, F. SMITH, D. BAUM, B. CARTER, J. COHENOUR, D. HAWK, J. KARLEN, C. KEOGH, K. KORTUM, E. STAFMAN, P. TUSS, Z. ZEPHYR, M. MARLER, S. DEMAROIS, J. LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A STATE PROGRAM TO PROVIDE REPLACEMENT FUNDING FOR SCHOOL DISTRICTS THAT ELIMINATE REDUCED-PRICE COPAYMENTS FOR SCHOOL LUNCH AND BREAKFAST; PROVIDING RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Program to eliminate reduced-price copayments for school lunch and breakfast -- legislative intent -- rulemaking. (1) The legislature intends to strengthen the opportunity of each child to develop the child's full education potential in accordance with the goal of the people articulated in Article X, section 1(1), of the Montana constitution. The legislature recognizes that:

- (a) adequate and proper nutrition is a foundational requirement for learning; and
- (b) requiring families that are eligible for reduced-price school meals under the federal school breakfast program and the national school lunch program to contribute to the cost of meals creates a barrier for participation and a burden for school administrators for accounting and collection.

(2) From money appropriated for this purpose, the superintendent of public instruction shall administer a program to distribute replacement funds to school districts electing to eliminate required reduced-price copayments from reduced-price eligible pupils for school lunch and breakfast under a national or federal program.

(3) If the amount of appropriated funds is insufficient for the program, the superintendent of public instruction:

- (a) may accept donations from private or out-of-state public sources to support the program; and

1 (b) shall request additional funding sufficient to support the program in the subsequent biennium.

2 (4) The superintendent of public instruction shall adopt rules necessary to administer the program.

3 (5) For the purposes of this section, the following definitions apply:

4 (a) "Reduced-price copayment" means the amount a reduced-price eligible pupil is charged for
5 reduced-price school meals.

6 (b) "Reduced-price eligible pupil" means a pupil whose family income meets the federal income
7 eligibility requirements for reduced-price school meals pursuant to the federal school breakfast program and the
8 national school lunch program.

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10 NEW SECTION. Section 2. Appropriation. (1) The following money is appropriated from the state
11 general fund to the office of public instruction to be used for the purposes described in [section 1]:

12 Fiscal year beginning July 1, 2025 \$600,000

13 Fiscal year beginning July 1, 2026 \$600,000

14 (2) The legislature intends that the appropriation in subsection (1) be considered part of the
15 ongoing base for the next legislative session.

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17 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
18 integral part of Title 20, chapter 10, part 2, and the provisions of Title 20, chapter 10, part 2, apply to [section 1].

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20 COORDINATION SECTION. Section 4. Coordination instruction. ~~If both House Bill No. 2 and~~
21 ~~[this act] are passed and approved and if House Bill No. 2 includes an appropriation for the purposes of~~
22 ~~[section 1 of this act], then [section 2 of this act] is void.~~

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24 COORDINATION SECTION. SECTION 4. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 2 AND
25 [THIS ACT] ARE PASSED AND APPROVED, THEN THE FOLLOWING PROVISIONS IN HOUSE BILL NO. 2 ARE VOID:

26 (1) THE APPROPRIATIONS FOR "SCHOOL LUNCH FUNDING"; AND

27 (2) THE SENTENCE THAT READS: "IF HB 551 IS PASSED AND APPROVED AND CONTAINS AN APPROPRIATION
28 FOR SCHOOL LUNCH FUNDING, THE SCHOOL LUNCH FUNDING APPROPRIATION IS VOID."

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2 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2025.

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