

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 844
Apr 24, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30305-NHa-134

Short Title: School Meals for All Act. (Public)

Sponsors: Representative von Haefen.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE BREAKFAST AND LUNCH IN PUBLIC SCHOOLS AT NO COST
3 TO STUDENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-263 reads as rewritten:

6 "§ 115C-263. School nutrition services.

7 (a) As a part of the function of the public school system, ~~local boards of education public~~
8 ~~school units shall have a school food authority to provide to the extent practicable~~ school nutrition
9 services in the schools under their jurisdiction. The school food authority shall offer students two
10 meals per day, breakfast and lunch, at no cost to the student. All school nutrition services made
11 available under this authority shall be provided in accordance with federal guidelines established
12 by the Food and Nutrition Service of the United States Department of Agriculture.

13 (b) ~~The~~ To the extent that funds are made available for the purpose, the State Board of
14 Education shall allocate funds to school food authorities in public school units to provide healthy
15 nutrition services at no cost to students. The Board shall determine the amount to be allocated to
16 each school food authority based on the amount the school would have received from the federal
17 government had all students qualified for federally free meals in the previous fiscal year minus
18 the amount of federal funds actually received for free or reduced-price meals in the previous
19 fiscal year. The Board shall issue the allocation at the beginning of each fiscal year, except that
20 the Board may reserve for future allocation a reasonable amount, not to exceed ten percent (10%)
21 of the total funds available for providing nutrition services.

22 (c) The State Board of Education may adopt rules regulating the provision of school
23 nutrition that impose additional restrictions that are not inconsistent with the federal guidelines."

24 SECTION 2.(a) G.S. 115C-47(22) reads as rewritten:

25 "(22) ~~To Provide School Food Nutrition Services. – Local boards of education shall~~
26 ~~provide, to the extent practicable, provide school food nutrition services as~~
27 ~~provided in Part 2 of Article 17 of this Chapter. G.S. 115C-263 and~~
28 ~~G.S. 115C-264."~~

29 SECTION 2.(b) G.S. 115C-218.75 is amended by adding a new subsection to read:

30 "(k) A charter school shall provide school nutrition services in accordance with
31 G.S. 115C-263 and G.S. 115C-264."

32 SECTION 2.(c) G.S. 115C-238.72(b) reads as rewritten:

33 "(b) Food Service. – ~~The local school administrative unit identified by resolution shall~~
34 ~~provide, to the extent practicable, school food provide school nutrition services to the regional~~
35 ~~school school in accordance with G.S. 115C-263 and G.S. 115C-264. For purposes of federal~~
36 ~~funding through the National School Lunch Program or other federally supported food nutrition~~



1 service programs, the local school administrative unit identified by resolution shall be permitted
2 to include eligible students enrolled in the regional school. Other participating units shall not
3 include students enrolled in the regional school for purposes of federally supported ~~food~~nutrition
4 service programs."

5 **SECTION 2.(d)** G.S. 115C-150.14 is amended by adding a new subsection to read:

6 "(a1) A school governed by this Article shall provide school nutrition services in
7 accordance with G.S. 115C-263 and G.S. 115C-264."

8 **SECTION 2.(e)** G.S. 116-239.8(b)(4)c. reads as rewritten:

9 "c. ~~Food~~Nutrition Services. – Laboratory schools shall provide school
10 nutrition services in accordance with G.S. 115C-263 and
11 G.S. 115C-264. Upon request, the local school administrative unit in
12 which the laboratory school is located shall administer the National
13 School Lunch Program for the laboratory ~~school in accordance with~~
14 ~~G.S. 115C-264.~~school."

15 **SECTION 3.** There is appropriated from the General Fund to the Department of
16 Public Instruction the sum of one hundred seventy-two million dollars (\$172,000,000) in
17 recurring funds for the 2023-2024 fiscal year to provide nutrition services to students in public
18 school units at no cost to the students in accordance with this act. Should this appropriation not
19 be sufficient to fulfill the provisions of this act for the 2023-2024 fiscal year, the State Board of
20 Education may use funds appropriated to State Aid for Public Schools for this purpose.

21 **SECTION 4.** The State Board of Education has authority to adopt temporary rules
22 to enact the provisions of this act until such a time as permanent rules can be adopted.

23 **SECTION 5.** This act becomes effective July 1, 2023.