

AMENDMENTS TO LB940

Introduced by Cavanaugh, M., 6.

1 1. Insert the following new sections:

2 **Sec. 2.** Sections 2 to 7 of this act shall be known and may be cited
3 as the Hunger-Free Schools Act.

4 **Sec. 3.** Section 79-10,137, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 ~~79-10,137~~ The Legislature finds that, for Nebraska to compete
7 effectively in the world, it must have an educated and productive work
8 force. In order to have an educated and productive work force, it must
9 prepare its children to learn, and in order to do so the children must be
10 well-nourished. The Legislature further finds that school breakfast and
11 lunch programs are integral parts of Nebraska's educational system and
12 that every student deserves access to healthy food during the school day.

13 **Sec. 4.** For purposes of the Hunger-Free Schools Act:

14 (1) Department means the State Department of Education;

15 (2) Eligible meal means a school breakfast or school lunch that is
16 both (a) served to a student who qualifies for reduced-price school meals
17 under United States Department of Agriculture child nutrition programs
18 and (b) served at no cost to such student;

19 (3) Federal reimbursement rate means the payment a school receives
20 for a school meal and is dependent on whether the school meal was a
21 breakfast or a lunch, whether or not the student qualifies for free or
22 reduced-price school meals, and the school year in which the school meal
23 is served, as published by the United States Department of Agriculture
24 pursuant to the federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et
25 seq., and the federal Richard B. Russell National School Lunch Act, 42
26 U.S.C. 1751 et seq., and regulations promulgated under such acts, as such
27 acts and regulations existed on January 1, 2026; and

1 (4) Qualified school means a public school or a nonprofit approved
2 or accredited private, denominational, or parochial school which is
3 participating in the school breakfast program or the national school
4 lunch program under the federal Child Nutrition Act of 1966, 42 U.S.C.
5 1771 et seq., or the federal Richard B. Russell National School Lunch
6 Act, 42 U.S.C. 1751 et seq., as such acts existed on January 1, 2026, and
7 which does not serve free meals to all students under the community
8 eligibility provision.

9 **Sec. 5.** The Hunger-Free Schools Program is created. To comply with
10 the Hunger-Free Schools Program, a qualified school shall:

11 (1) Serve eligible meals through any school breakfast program or
12 school lunch program operated by such school during the school day; and

13 (2) Submit information regarding the number of eligible meals served
14 in a manner prescribed by the department.

15 **Sec. 6.** The department shall annually reimburse each qualified
16 school a portion of the cost of each eligible meal served by such school
17 during the second preceding school fiscal year in an amount equal to the
18 difference between the federal reimbursement rate for a free meal and the
19 federal reimbursement rate for a reduced-price meal for each eligible
20 meal. The calculation of the reimbursement for each eligible meal shall
21 be based on the federal reimbursement rates for a school breakfast or a
22 school lunch as applicable to the eligible meal.

23 **Sec. 7.** (1) The State Board of Education may adopt and promulgate
24 rules and regulations to carry out the Hunger-Free Schools Act.

25 (2) It is the intent of the Legislature to appropriate money from
26 the General Fund to the State Department of Education to carry out the
27 Hunger-Free Schools Act.

28 **Sec. 8.** Original section 79-10,137, Reissue Revised Statutes of
29 Nebraska, is repealed.

30 **Sec. 9.** The following sections are outright repealed: Sections
31 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.