

AMENDMENTS TO LB966

Introduced by Cavanaugh, M., 6.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Section 1.** Sections 1 to 8 of this act shall be known and may be
4 cited as the Hunger-Free Schools Act.

5 **Sec. 2.** Section 79-10,137, Reissue Revised Statutes of Nebraska, is
6 amended to read:

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

14 **Sec. 3.** For purposes of the Hunger-Free Schools Act:

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

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

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

1 acts and regulations existed on January 1, 2026;

2 (4) Participating school means a qualified school that is selected
3 to participate in the Hunger-Free Schools Pilot Program; and

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

10 **Sec. 4.** (1) The Hunger-Free Schools Pilot Program is created. The
11 pilot program shall include school years 2026-27 through 2031-32.

12 (2) Any qualified school may apply to participate in the pilot
13 program in the manner prescribed by the department.

14 (3) The department shall annually select schools to participate in
15 the pilot program from applicant qualified schools.

16 (4) To receive funding under the pilot program, a participating
17 school shall:

18 (a) Serve eligible meals through any school breakfast program or
19 school lunch program operated by such school during the school day; and

20 (b) Submit information regarding the number of eligible meals served
21 in a manner prescribed by the department.

22 **Sec. 5.** The department shall annually reimburse each participating
23 school a portion of the cost of each eligible meal served by such school
24 during the second preceding school fiscal year in an amount equal to the
25 difference between the federal reimbursement rate for a free meal and the
26 federal reimbursement rate for a reduced-price meal for each eligible
27 meal. The calculation of the reimbursement for each eligible meal shall
28 be based on the federal reimbursement rates for a school breakfast or a
29 school lunch as applicable to the eligible meal.

30 **Sec. 6.** (1) The department shall study the efficacy of the Hunger-
31 Free Schools Pilot Program and the impact on academic and behavioral

1 performance of students involved in the program. The study shall:

2 (a) Examine the performance of students attending participating
3 schools;

4 (b) Include data beginning with school year 2026-27 and ending with
5 school year 2031-32; and

6 (c) Be conducted in a manner that protects the identity of students
7 and complies with state and federal privacy laws.

8 (2) On or before December 1, 2032, the department shall
9 electronically report the results to the Clerk of the Legislature and to
10 the Education Committee of the Legislature.

11 **Sec. 7.** The Hunger-Free Schools Cash Fund is created. The fund
12 shall be administered by the State Department of Education. The fund
13 shall consist of money transferred to the fund by the Legislature and
14 money donated as gifts, bequests, or other contributions from public or
15 private entities. The department shall use the proceeds of the fund to
16 carry out the Hunger-Free Schools Act. Any money in the fund available
17 for investment shall be invested by the state investment officer pursuant
18 to the Nebraska Capital Expansion Act and the Nebraska State Funds
19 Investment Act.

20 **Sec. 8.** The State Board of Education may adopt and promulgate rules
21 and regulations to carry out the Hunger-Free Schools Act.

22 **Sec. 9.** Original section 79-10,137, Reissue Revised Statutes of
23 Nebraska, is repealed.

24 **Sec. 10.** The following sections are outright repealed: Sections
25 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.