

ENGROSSED LEGISLATIVE BILL 940

Introduced by Murman, 38; Andersen, 49; Conrad, 46; Juarez, 5; Kauth, 31;
Lippincott, 34; Lonowski, 33.

A BILL FOR AN ACT relating to schools; to prohibit certain color additives in school meals as prescribed.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) For purposes of this section:

(a) Color additive has the same meaning as in 21 U.S.C. 321, as such section existed on January 1, 2026; and

(b) School meal means a school meal served pursuant to the federal Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq., or the federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq., as such acts and sections existed on January 1, 2026, and does not include any other food offered or made available to students.

(2) On or after August 1, 2027, no public elementary or secondary school shall offer or make available to any student any food served as a part of a school meal that contains any of the following color additives as referred to by the United States Food and Drug Administration in the federal Regulatory Status of Color Additives as such list existed on January 1, 2026:

- (a) Blue No. 1;
- (b) Blue No. 2;
- (c) Green No. 3;
- (d) Red No. 40;
- (e) Yellow No. 5; or
- (f) Yellow No. 6.

PRESIDENT OF THE LEGISLATURE

THIS IS TO CERTIFY that the within LB 940 was passed by the One Hundred Ninth Legislature of Nebraska at its Second Session on the day of 20.....

CLERK OF THE LEGISLATURE

Approved:

..... 20....., o'clockM.

GOVERNOR