

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 966

FINAL READING

Introduced by Cavanaugh, M., 6; Conrad, 46.

Read first time January 12, 2026

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend section 79-10,137,
2 Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free
3 Schools Act; to restate legislative findings and state legislative
4 intent; to eliminate provisions relating to reimbursement for school
5 breakfast programs; to create a fund; to provide powers and duties
6 to the State Department of Education and the State Board of
7 Education; to state intent relating to funding; to appropriate funds
8 to carry out this legislative bill; to repeal the original section;
9 and to outright repeal sections 79-10,138 and 79-10,139, Reissue
10 Revised Statutes of Nebraska.
11 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 9 of this act shall be known and may be
2 cited as the Hunger-Free Schools Act.

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

5 ~~79-10,137~~ The Legislature finds that, for Nebraska to compete
6 effectively in the world, it must have an educated and productive work
7 force. In order to have an educated and productive work force, it must
8 prepare its children to learn, and in order to do so the children must be
9 well-nourished. The Legislature further finds that school breakfast and
10 lunch programs are integral parts of Nebraska's educational system and
11 that every student deserves access to healthy food during the school day.

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

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

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

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

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

29 (5) Qualified school means a school which is participating in the
30 school breakfast program or the national school lunch program under the
31 federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq., or the

1 federal Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et
2 seq., as such acts existed on January 1, 2026, and which does not serve
3 free meals to all students under the community eligibility provision.

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

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

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

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

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

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

16 **Sec. 5.** The department shall annually reimburse each participating
17 public school from the Hunger-Free Schools Cash Fund and each
18 participating nonpublic school from the General Fund a portion of the
19 cost of each eligible meal served by such school during the second
20 preceding school fiscal year in an amount equal to the difference between
21 the federal reimbursement rate for a free meal and the federal
22 reimbursement rate for a reduced-price meal for each eligible meal. The
23 calculation of the reimbursement for each eligible meal shall be based on
24 the federal reimbursement rates for a school breakfast or a school lunch
25 as applicable to the eligible meal.

26 **Sec. 6.** (1) The department shall study the efficacy of the Hunger-
27 Free Schools Pilot Program and the impact on academic and behavioral
28 performance of students involved in the program. The study shall:

29 (a) Examine the performance of students attending participating
30 schools;

31 (b) Include data beginning with school year 2026-27 and ending with

1 school year 2031-32; and

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

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

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

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

18 **Sec. 9.** It is the intent of the Legislature to appropriate funds to
19 the department necessary to administer the Hunger-Free Schools Act for
20 any school that does not receive funds from the Hunger-Free Schools Cash
21 Fund.

22 **Sec. 10.** There is hereby appropriated (1) \$55,638 from the General
23 Fund and \$1,151,180 from the Hunger-Free Schools Cash Fund for FY2026-27
24 and (2) \$55,638 from the General Fund and \$1,151,180 from the Hunger-Free
25 Schools Cash Fund for FY2027-28 to the State Department of Education, for
26 Program 158, to aid in carrying out the provisions of Legislative Bill
27 966, One Hundred Ninth Legislature, Second Session, 2026.

28 There is included in the appropriation to this program for FY2026-27
29 \$55,638 General Funds and \$1,151,180 Cash Funds for state aid, which
30 shall only be used for such purpose. There is included in the
31 appropriation to this program for FY2027-28 \$55,638 General Funds and

1 \$1,151,180 Cash Funds for state aid, which shall only be used for such
2 purpose.

3 No expenditures for permanent and temporary salaries and per diems
4 for state employees shall be made from funds appropriated in this
5 section.

6 **Sec. 11.** Original section 79-10,137, Reissue Revised Statutes of
7 Nebraska, is repealed.

8 **Sec. 12.** The following sections are outright repealed: Sections
9 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.