



2024 South Dakota Legislature

House Bill 1042

Introduced by: **Representative Wittman**

1 **An Act to establish parameters for the reimbursement of school districts that**
 2 **provide free or reduced price meals to students.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 13-35-2 be AMENDED:**

5 **13-35-2.** ~~Pupils and employed personnel of the~~The board of a school district or
 6 ~~other agencies contracting with the Department of Education, who are fed~~may not impose
 7 a charge upon a student for any meal provided through a school food services program
 8 ~~may be charged for meals, if that student is eligible for free or reduced price meals through~~
 9 the National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1, 2024), or the
 10 School Breakfast Program, 42 U.S.C. § 1773 (January 1, 2024).

11 The board of a school district may impose a charge for any meal provided through
 12 a school food services program to:

13 (1) A student who is not eligible for free or reduced price meals through the National
 14 School Lunch Program or the School Breakfast Program;

15 (2) An employee of the district; or

16 (3) Any other individual, not otherwise exempted in accordance with this section.

17 The Department of Education shall, with moneys appropriated in the General
 18 Appropriations Act, reimburse each school district for costs incurred by the district in
 19 providing meals to students who are eligible for free or reduced price meals, less any
 20 amount reimbursed through the National School Lunch Program or the School Breakfast
 21 Program.

22 Each school district shall ensure that, annually, the parent or legal guardian of any
 23 student who is enrolled in the district and potentially eligible for free or reduced price
 24 meals, completes and submits a school meal application.