

HOUSE BILL 1860

By Hemmer

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to school meals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2302, is amended by deleting the section and substituting instead the following:

(a) Each local school board shall establish a school lunch program and a school breakfast program that provides a free lunch and breakfast to each student enrolled in a school under the board's jurisdiction, according to rules established under § 49-6-2303.

(b) The state shall reimburse each LEA the cost of each free breakfast and lunch served to students enrolled in the LEA after all federal funds available pursuant to the national school lunch program created by the National School Lunch Act (42 U.S.C. § 1751 et seq.), the school breakfast program created by the Child Nutrition Act of 1966 (42 U.S.C. § 1771 et seq.), or any other federal program has been applied.

SECTION 2. Tennessee Code Annotated, Section 49-6-2303(4), is amended by deleting the language "and to encourage participation in the breakfast program".

SECTION 3. Tennessee Code Annotated, Section 49-6-2303, is amended by deleting the language ", regardless of its participation" in subdivision (5) and by deleting subdivision (10).

SECTION 4. Tennessee Code Annotated, Section 49-6-2303, is amended by adding the following as new subdivisions:

() Require LEAs to maximize federal funding available to defray the cost of school breakfast and lunch programs established pursuant to § 49-6-2302(a) by ensuring that all eligible students are enrolled in the programs listed in § 49-6-2302(b);

() Require all eligible LEAs to apply to participate in the community eligibility provision under the national school lunch program pursuant to 42 U.S.C. § 1759a;

SECTION 5. Tennessee Code Annotated, Section 49-2-114(a), is amended by deleting "receive free or reduced price school lunches" and substituting "meet the eligibility requirements for free or reduced price lunch as determined pursuant to 42 U.S.C. § 1758".

SECTION 6. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.