

SENATE BILL 945

By Oliver

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 49 and Title 71, relative to the provision of  
meals to students in after school programs.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by  
adding the following as a new section:

(a) As used in this section:

(1) "After school program" or "program":

(A) Means an after school educational program; and

(B) Includes:

(i) An after school child care program operated pursuant to  
§ 49-2-203(b)(11);

(ii) A child care program, as defined in § 49-1-1102; and

(iii) An after school program developed by an LEA with a  
501(c)(3) nonprofit corporation pursuant to § 49-2-135;

(2) "Department" means the department of human services;

(3) "Nutritious meal":

(A) Means a nutritionally balanced assortment of foods eaten in  
moderate to large quantities on regular occasions throughout the day,  
such as breakfast, lunch, or dinner; and

(B) Does not include a snack or other small portion of food  
generally eaten between breakfast, lunch, or dinner; and

(4) "Underserved community" means a census tract determined to be an area with low supermarket access by the United States department of agriculture (USDA), as identified in the USDA's Food Access Research Atlas.

(b) The department shall allocate any temporary assistance for needy families (TANF) funds remaining unexpended at the end of a fiscal year to an eligible after school program located in an underserved community to provide nutritious meals to students enrolled in the program. A program that receives surplus TANF funds pursuant to this section shall only use the funds to provide nutritious meals to students.

(c) An after school program is eligible to receive surplus TANF funds from the department for purposes of this section if the program:

(1) Is located in an underserved community;

(2) Is operated out of a public school building, recreation center, local community center, early learning center, church, or other location that regularly serves students enrolled in the local public schools that has the capability or facilities required for the safe and adequate preparation and storage of nutritious meals for each of the students enrolled in the program; and

(3) Begins operating immediately after the regular school day and continues operating until six o'clock p.m. (6:00 p.m.) or later each school day.

(d) An after school program that receives surplus TANF funds from the department for purposes of this section shall allow a student enrolled in the program to take the nutritious meal provided by the program home, if the student wishes to do so.

(e) Notwithstanding subdivision (c)(3), an after school program is eligible to receive surplus TANF funds to provide nutritious meals to students enrolled in a summer learning program; provided, that the program provides care to students enrolled in the summer program for no less than three (3) hours each day the program is offered.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.