
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 302D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302D- School meals; universal free school breakfast
5 and lunch. (a) School meals shall be made available under the
6 school meals program in every public charter school where the
7 students are required to eat meals at school.

8 (b) Beginning with the 2023-2024 school year, a public
9 charter school shall serve one school breakfast to any
10 requesting student at no cost to the student each school day,
11 regardless of a student's eligibility for participation in the
12 federal School Breakfast Program. Free school lunch shall meet
13 the meal requirements for lunches established pursuant to title
14 7 Code of Federal Regulations section 220.8.

15 (c) Beginning with the 2023-2024 school year, a public
16 charter school shall serve one school lunch to any requesting
17 student at no cost to the student each school day, regardless of



1 a student's eligibility for participation in the federal
2 National School Lunch Program. Free school lunch shall meet the
3 meal requirements for lunches established pursuant to title 7
4 Code of Federal Regulations section 210.10.

5 (d) No student shall be denied a meal solely for failure
6 to pay within seven days after a student's meal fund account
7 reaches a zero or negative balance.

8 (e) The commission may adopt rules or policies governing
9 the collection of funds for student meal accounts with a
10 negative fund balance; provided that no rule or policy shall
11 prohibit feeding a student as required pursuant to subsections
12 (b), (c), and (d).

13 (f) It is the intent of this section not to jeopardize the
14 receipt of any federal aid and to the extent, and only to the
15 extent necessary to effectuate this intent, the governor may
16 modify the strict provisions of this section, but shall promptly
17 report any such modification with the governor's reasons
18 therefor to the next succeeding session of the legislature for
19 review."

20 SECTION 2. Section 302A-404, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§302A-404 School meals[-]; universal free school
 2 breakfast and lunch. (a) School meals shall be made available
 3 under the school meals program in every school where the
 4 students are required to eat meals at school.

5 (b) Beginning with the 2023-2024 school year, the
 6 department shall serve one school breakfast to any requesting
 7 student at no cost to the student each school day, regardless of
 8 a student's eligibility for participation in the federal School
 9 Breakfast Program. Free school lunch shall meet the meal
 10 requirements for lunches established pursuant to title 7 Code of
 11 Federal Regulations section 220.8.

12 (c) Beginning with the 2023-2024 school year, the
 13 department shall serve one school lunch to any requesting
 14 student at no cost to the student each school day, regardless of
 15 a student's eligibility for participation in the federal
 16 National School Lunch Program. Free school lunch shall meet the
 17 meal requirements for lunches established pursuant to title 7
 18 Code of Federal Regulations section 210.10.

19 ~~(b)~~ (d) No student shall be denied a meal solely for
 20 failure to pay[+]



1 ~~(1) Within the first twenty-one days of the first semester~~
2 ~~of a school year while the student's application for~~
3 ~~free or reduced lunch is being processed; or~~

4 ~~(2) Within~~ within seven days after a student's meal fund
5 account reaches a zero or negative balance.

6 ~~[(e)]~~ (e) The department may adopt rules or policies
7 governing the collection of funds for student meal accounts with
8 a negative fund balance; provided that no rule or policy shall
9 prohibit feeding a student as required pursuant to ~~[subsection]~~
10 subsections (b) ~~[-]~~, (c), and (d).

11 (f) It is the intent of this section not to jeopardize the
12 receipt of any federal aid and to the extent, and only to the
13 extent necessary to effectuate this intent, the governor may
14 modify the strict provisions of this section, but shall promptly
15 report any such modification with the governor's reasons
16 therefor to the next succeeding session of the legislature for
17 review."

18 SECTION 3. Section 302A-405, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) ~~[The]~~ Except as provided in section 302A-404(b) and
21 (c), the price for school meals shall be set by the department



1 to ensure that moneys received from the sale of the meals shall
2 be [~~not~~] no less than one-half of the cost of preparing the
3 meals. The prices for school meals may be adjusted annually
4 based on the previous year's costs rounded to the nearest five
5 cents; provided that the department by rule shall provide a
6 lower rate or free meals to children based on their economic
7 need."

8 SECTION 4. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2023-2024 and
11 the same sum or so much thereof as may be necessary for fiscal
12 year 2024-2025 to the Hawaii child nutrition programs for the
13 total plate costs associated with providing universal free
14 school breakfasts and lunches in department of education schools
15 and public charter schools as required by this Act after federal
16 funding has been accounted.

17 The sums appropriated shall be expended by the department
18 of education for the purposes of this Act.

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on June 30, 3000.



Report Title:

Universal Free School Lunches and Breakfasts; DOE; Public
Charter Schools; Appropriation

Description:

Beginning with the 2023-2024 school year, requires the
department of education and public charter schools to provide
free breakfast and lunch to all enrolled students. Appropriates
funds. Effective 6/30/3000. (HD1)

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not legislation or evidence of legislative intent.*

