

HB 703-FN-A-LOCAL - AS INTRODUCED

2025 SESSION

25-0431

02/09

HOUSE BILL

***703-FN-A-LOCAL***

AN ACT

relative to prohibiting school districts from denying meals to students with unpaid meal balances, and making an appropriation therefor.

SPONSORS:

Rep. Damon, Sull. 8; Rep. Balboni, Rock. 38; Rep. Bordes, Belk. 5; Rep. N. Germana, Ches. 15; Rep. M. Hall, Merr. 9; Rep. H. Howard, Straf. 4; Rep. Newell, Ches. 4; Rep. Simpson, Rock. 33; Rep. Telerski, Hills. 11; Sen. Altschiller, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Prentiss, Dist 5

COMMITTEE:

Education Funding

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ANALYSIS

This bill requires school districts with meal programs approved to operate through the United States Department of Agriculture to adopt school meal policies that do not deny or stigmatize students with unpaid meal balances. It also requires the department of education to pay for school meal debts accrued by students participating in the USDA National School Lunch program, and makes an appropriation therefor.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to prohibiting school districts from denying meals to students with unpaid meal balances, and making an appropriation therefor.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Food and Nutrition Programs. RSA 189:11-a, VIII is repealed and reenacted to read as  
2 follows:

3 VIII. All school districts with meal programs approved to operate through the United States  
4 Department of Agriculture shall adopt a school meals policy that:

5 (a) Prohibits schools from denying a meal to, or serving an alternative meal to, a student  
6 with an unpaid student meal balance or without funds to pay for a meal.

7 (b) Prohibits schools from disposing of or taking away any food from a child that already  
8 has been served to the child on account of the child having an unpaid student meal balance or  
9 lacking the funds to pay for a meal.

10 (c) Prohibits schools from identifying or stigmatizing a student as receiving a free,  
11 reduced price or full-price meal or meals for which the child lacks funds to pay, including, but not  
12 limited to, the use of tokens, stickers, stamps, or by placing the child's name on a published list of  
13 persons with student meal debt.

14 (d) Prohibits schools from limiting a student's participation in any school activities,  
15 graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities, or  
16 access to materials, technology, or other items provided to students due to an unpaid student meal  
17 balance.

18 (e) Prohibits schools from requiring a student to provide services or perform work,  
19 including cleaning duties or chores, to pay for school meals debt.

20 (f) Prohibits the school district from using a collections agency to collect unpaid school  
21 meals debt; and, prohibits schools from charging or collecting fees or additional costs associated with  
22 school meals debt.

23 (g) Requires schools to develop an outreach plan to encourage parent(s) or guardians(s)  
24 to apply for the free and reduced-price meals program.

25 (h) Authorizes schools to complete the application for free meals for the student  
26 pursuant to Title 7, Section 245.6(d) of the Code of Federal Regulations.

27 (i) Requires school districts to accept voluntary donations to alleviate school meal debt.

28 IX. The department of education shall pay for the school meal debts accrued and unpaid by  
29 students in any schools participating in the USDA National School Lunch program by the end of  
30 each fiscal year.

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1           2 Appropriation; School Meal Debt. The amount of \$1 is appropriated for the biennium ending  
2 June 30, 2026 from the general fund to the department of education to pay for school meal debts  
3 accrued and unpaid by students pursuant to RSA 189:11-a, IX. The governor is authorized to draw a  
4 warrant for such sum out of any funds in the treasury not otherwise appropriated.

5           3 Effective Date. This act shall take effect July 1, 2025.

**HB 703-FN-A-LOCAL- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to prohibiting school districts from denying meals to students with unpaid meal balances, and making an appropriation therefor.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

<b>Estimated State Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	<u>State Aid to Districts</u> Indeterminable - Likely more than \$2.5M per year (see methodology below)		
		<u>NHED Position Costs</u> \$102K in FY 26, \$104K in FY 27, and \$107K in FY 28		
<i>Funding Source(s)</i>	General Fund			
<b>Appropriations*</b>	\$0	\$1	\$0	\$0
<i>Funding Source(s)</i>	General Fund			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>
<b>Local Revenue</b>	\$0	Indeterminable - Likely more than \$2.5M per year (see methodology below)		
<b>Local Expenditures</b>	\$0	Indeterminable	\$0	\$0

**METHODOLOGY:**

This bill requires school districts with meal programs approved to operate through the United States Department of Agriculture (USDA) to adopt school meal policies that do not deny or stigmatize students with unpaid meal balances. It also requires the Department of Education (NHED) to pay for school meal debts accrued by students participating in the USDA National School Lunch program.

The following information and assumptions, relative this bill, have been provided by NHED:

- This bill will impact students in public kindergarten, elementary, and secondary schools who operate the Federally Funded National School Lunch Program (NSLP) and School Breakfast Program (SBP).
- The Local Education Agency (LEAs) will be required to update its meal charge policy.
- Any unpaid meal debt that the LEAs accrue throughout the school year the Department of Education will pay prior to July 1st of each year.
- Per 7 CFR 245.6(d), LEAs can only complete an application for free and reduced-priced meals only if they have direct knowledge of the individual family income and family size data from other sources.
- In School Year 2023-2024 there were a total of 2,073,886 breakfast meals and 12,324,658 lunch meals served throughout the state by school's operating the federal programs. Of those meals served, 1,348,525 breakfast meals and 8,790,466 lunch meals are not currently fully paid for by the federal government or prior state legislation.
- It is unknown the total amount of meal debt that was accumulated in School Year 2023-2024 or prior.
- To implement this legislation, NHED will need to create a system for schools to:
  - Provide the meal debt amount that NHED must pay to each individual LEA
  - Ensure that only meal debt is submitted for payment.
  - Upload backup documentation to support the request for reimbursement of meal debt
  - Pay each individual LEA on a reimbursement-based system, monthly.
- NHED will need to aid LEAs to ensure that meal policies are updated and followed per the legislation.

Based on the assumptions and information above, NHED has provided the following estimates of this bill's impact on the state and local school districts:

#### State Aid to Districts for Unpaid Meals

Since the amount of meal debt accrued at the local level is unknown, this bill's impact on state aid to districts is indeterminable, however, NHED does report that the estimated range would be more than \$2,500,000, due to the number of meals that are currently not fully reimbursed by the state or the federal government. For informational purposes, if all meals served in School Year 2023-2024, after federal and state reimbursement, accrued meal debt, NHED would be responsible for paying \$39,427,975 under this bill. This bill only appropriates \$1 in FY 2026.

#### New NHED Position

To comply with the requirements of this bill, NHED states it would need one (1) new program specialist III position (SOC 13-5, step 3) at an estimated cost of \$102,000 in FY 2026, \$104,000 in

FY 2027, and \$107,000 in FY 2028, assuming a start date of July 1, 2025. This bill provides neither authorization nor appropriation for new personnel.

Local School District Expenditures

There may be an increase in costs for school districts to update policies and procedures to reflect this bill, however, those amounts are indeterminable and would vary from district to district.

**AGENCIES CONTACTED:**

Department of Education