

# SENATE BILL NO. 321

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOSLEY.

0054S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to school meals.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 167, RSMo, is amended by adding thereto  
2 one new section, to be known as section 167.204, to read as  
3 follows:

167.204. 1. This section shall be known and may be  
2 cited as the "Missouri Universal School Meals Act".

3 2. As used in this section, the term "school" shall  
4 mean any school district; public school, including a charter  
5 school; or private, religious, or parochial school  
6 participating in the National School Lunch Program, the  
7 School Breakfast Program, or successive program.

8 3. Subject to appropriations, a school shall provide a  
9 U.S. Department of Agriculture reimbursable meal to a  
10 student who requests one at no cost to the student or  
11 student's parent or guardian, unless the student's parent or  
12 guardian provides written notice to the school that the  
13 parent or guardian will provide the student's meal.

14 4. A school shall determine which students are  
15 eligible for free or reduced price meals through the  
16 National School Lunch Program, the School Breakfast Program,  
17 or any successor programs, and shall provide information and  
18 assistance to parents and guardians of such students for  
19 purposes of filling out a meal application. The school

20 shall seek to maximize federal meal assistance for students,  
21 but shall not publicly identify or otherwise stigmatize a  
22 student who is or may be eligible for free or reduced price  
23 meals. No student shall be denied a meal on the basis of  
24 the ability of the student, or the student's parent or  
25 guardian, to pay for the meal or because the student,  
26 parent, or guardian has not returned a meal application.  
27 The meal application shall only be used for federal  
28 reimbursement and for state aid calculations under chapter  
29 163.

30         5. (1) There is hereby created in the state treasury  
31 the "Universal School Meals Fund", which shall consist of  
32 moneys appropriated by the general assembly for the purposes  
33 of implementing the provisions of this section. The state  
34 treasurer shall be custodian of the fund. In accordance  
35 with sections 30.170 and 30.180, the state treasurer may  
36 approve disbursements. The fund shall be a dedicated fund  
37 and money in the fund shall be used solely by the state  
38 board of education for the purposes of reimbursing schools  
39 the cost of meals not reimbursed under the National School  
40 Lunch Program, the School Breakfast Program, or successor  
41 programs.

42         (2) Notwithstanding the provisions of section 33.080  
43 to the contrary, any moneys remaining in the fund at the end  
44 of the biennium shall not revert to the credit of the  
45 general revenue fund.

46         (3) The state treasurer shall invest moneys in the  
47 fund in the same manner as other funds are invested. Any  
48 interest and moneys earned on such investments shall be  
49 credited to the fund.

50         6. The state board of education shall promulgate rules  
51 and regulations for the implementation of this section.

52 Such rules shall include the process by which schools may  
53 apply for reimbursement for student meals not otherwise  
54 reimbursed under the National School Lunch Program, the  
55 School Breakfast Program, or successor programs. Any rule  
56 or portion of a rule, as that term is defined in section  
57 536.010, that is created under the authority delegated in  
58 this section shall become effective only if it complies with  
59 and is subject to all of the provisions of chapter 536 and,  
60 if applicable, section 536.028. This section and chapter  
61 536 are nonseverable and if any of the powers vested with  
62 the general assembly pursuant to chapter 536 to review, to  
63 delay the effective date, or to disapprove and annul a rule  
64 are subsequently held unconstitutional, then the grant of  
65 rulemaking authority and any rule proposed or adopted after  
66 August 28, 2023, shall be invalid and void.

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