

## HOUSE BILL NO. HB0192

Education-K-12 food service program.

Sponsored by: Representative(s) Clouston, Allred, Andrew, Berger, Harshman, Lawley, Provenza and Zwonitzer, Dn and Senator(s) Rothfuss

A BILL

for

1 AN ACT relating to education; establishing a financial  
2 assistance program for public schools to operate food  
3 service programs; requiring school districts to establish  
4 food service programs; requiring school districts to make  
5 lunch available to every student enrolled in public school;  
6 modifying duties of the state superintendent of public  
7 instruction; requiring rulemaking; requiring reporting;  
8 making conforming amendments; providing appropriations; and  
9 providing for effective dates.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 21-10-109 is created to read:

14

1           **21-10-109. Food service program assistance;**  
2 **application; criteria; limitations; reporting.**

3

4           (a) A school district may apply to the state  
5 department of education for assistance to fund an amount  
6 not to exceed fifty percent (50%) of the balance owed for  
7 unpaid meals served to students required under W.S.  
8 21-3-110(a)(xl) for the school year immediately preceding  
9 the application. Amounts awarded under this section shall  
10 be in addition to and shall not be considered in  
11 determining the school foundation program amount under the  
12 education resource block grant model pursuant to W.S.  
13 21-13-309. To be eligible for financial assistance under  
14 this section, the school district shall charge the minimum  
15 price per meal established annually by the department  
16 pursuant to subsection (e) of this section.

17

18           (b) Applications for financial assistance under this  
19 section shall be submitted on a form and in a manner  
20 specified by rule of the department, shall be filed with  
21 the department on or before September 30 to secure funds  
22 for the balance owed for unpaid meals served to students as  
23 required under W.S. 21-3-110(a)(xl) accrued in the

1 immediately preceding school year and shall include the  
2 following:

3

4 (i) The number of meals served by the district's  
5 food service program to students as required under W.S.  
6 21-3-110(a)(xl);

7

8 (ii) The price per meal charged for meals served  
9 to students as required under W.S. 21-3-110(a)(xl);

10

11 (iii) The balance owed for unpaid meals served  
12 to students as required under W.S. 21-3-110(a)(xl), as  
13 documented and computed in accordance with department rule;

14

15 (iv) Other necessary information required by the  
16 department.

17

18 (c) Not later than February 15 each year following  
19 review of applications submitted under this section, the  
20 department shall notify applicant districts of an award of  
21 financial assistance under this section and shall provide  
22 each applicant district a written statement of the reasons  
23 for modifying or denying the application. If an application

1 is approved, the department shall award the financial  
2 assistance from amounts made available by legislative  
3 appropriation for purposes of this section. To the extent  
4 the legislative appropriation is less than the approved  
5 applications, the distribution of funds to school districts  
6 shall be reduced by a pro rata amount.

7

8 (d) The department of education shall promulgate  
9 rules necessary to carry out this section. The rules shall  
10 establish a process for the department to annually  
11 determine a minimum price per meal to be charged by school  
12 districts to receive financial assistance under this  
13 section that shall include review of lunch prices charged  
14 by Wyoming school districts and regionally.

15

16 **Section 2.** W.S. 21-2-202(a) by creating a new  
17 paragraph (xli) and 21-3-110(a) by creating a new paragraph  
18 (xl) is amended to read:

19

20 **21-2-202. Duties of the state superintendent.**

21

22 (a) In addition to any other duties assigned by law,  
23 the state superintendent shall:

1

2

3

4

5

6

7

8

9

10

11

12

**21-3-110. Duties of boards of trustees.**

13

14

15

16

17

18

19

20

21

22

23

(xli) In addition to the duties prescribed by paragraph (x) of this subsection, by rule establish requirements for food service programs, including necessary procedural and monitoring requirements for implementation of the food service financial assistance program authorized pursuant to W.S. 21-10-109. The state superintendent shall report information required to be reported by school districts under W.S. 21-3-110(a)(xl) to the joint education interim committee not later than April 1 of each year.

(a) The board of trustees in each school district shall:

(xl) Effective school year 2023-2024 and each school year thereafter, establish a food service program that, at minimum, makes lunch available to every student enrolled in public school every day school is in session. The board shall annually report to the state superintendent food service program revenues, expenses, per meal prices, the balance owed for unpaid meals and program policies and

1 procedures. No school district shall be required to accept  
2 federal funds apportioned to the state for school lunch,  
3 milk or other commodities distribution programs authorized  
4 under W.S. 21-2-202(a)(x).

5

6 **Section 3.** W.S. 21-3-111(a)(xi) is repealed.

7

8 **Section 4.**

9

10 (a) There is appropriated one hundred fifty thousand  
11 dollars (\$150,000.00) from the public school foundation  
12 program account to the department of education for the  
13 period beginning July 1, 2024 and ending June 30, 2026.  
14 This appropriation shall be used for the financial  
15 assistance program pursuant to W.S. 21-10-109 as created by  
16 section 1 of this act. Of this appropriation, not more than  
17 seventy-five thousand dollars (\$75,000.00) shall be  
18 expended per school year. This appropriation shall not be  
19 transferred or expended for any other purpose and any  
20 unexpended, unobligated funds remaining from this  
21 appropriation on June 30, 2026 shall revert as provided by  
22 law. It is the intent of the legislature that this  
23 appropriation be included in the standard budget for the

1 department of education for the immediately succeeding  
2 fiscal biennium.

3

4 (b) The funds appropriated under subsection (a) of  
5 this section shall be for financial assistance for food  
6 service programs for school year 2023-2024 and school year  
7 2024-2025 pursuant to W.S. 21-10-109 as created by section  
8 1 of this act. The first date of application for financial  
9 assistance under W.S. 21-10-109 as created by section 1 of  
10 this act shall be September 30, 2024.

11

12 **Section 5.**

13

14 (a) Except as provided in subsection (b) of this  
15 section, this act is effective immediately upon completion  
16 of all acts necessary for a bill to become a law as  
17 provided by Article 4, Section 8 of the Wyoming  
18 Constitution.

19

20 (b) Section 4 of this act is effective July 1, 2024.

21

22

(END)