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FISCAL IMPACT REPORT

SPONSOR Kernan **ORIGINAL DATE** 2/8/16
LAST UPDATED _____ **HB** _____

SHORT TITLE Rename “Breakfast After the Bell Program” **SB** 144

ANALYST Elkins

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From
 Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 144 amends the Public School Code to rename the “breakfast after the bell program” to the “school breakfast program” and eliminate the requirement that breakfast pursuant to the program must be served after school starts. Breakfast provided pursuant to the statute may be provided either before or after the instructional day begins effective with the 2016-2017 school year.

FISCAL IMPLICATIONS

The bill does not have any direct fiscal implications. The program received \$1.9 million in FY15 and FY16 for elementary schools. Currently, House Bill 2 continues flat funding for the elementary school breakfast program.

SIGNIFICANT ISSUES

For FY16, the General Appropriations Act contained language that allowed schools the option to serve breakfast either before or after the bell.

According to PED eligible students are considered those students who attend a public elementary school in which 85% or more of the enrolled students are eligible for free or reduced-price lunch under the National School Lunch Act during the prior school year. If the school meets this definition, they must make a free breakfast available to all eligible students after the instructional day begins (“after the bell”). In addition to this requirement, the Public Education Department (PED) has communicated with local education agencies that a school may choose to provide breakfast before the instructional day begins (“before the bell”) but must ensure that any student that does not take advantage of breakfast before the bell is given the opportunity to eat breakfast after the instructional day begins.

PED notes there are no federal restrictions regarding whether breakfast is served before or after the bell per Title 7, *Code of Federal Regulations (7 CFR)*, Section 220.2(b).

SB144 supports the PED’s strategic lever that all students are ready to learn by reinforcing the linkage between health and academic success.

ADMINISTRATIVE IMPLICATIONS

At the school’s discretion, they may determine the best time for a student to have breakfast during instruction or before the school day.

TECHNICAL ISSUES

PED notes the Legislature may wish to insert provisions that ensure that students not eating before the bell will have food made available to them after the bell.

CE/al