

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (www.nmlegis.gov) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR Padilla/Lopez ORIGINAL DATE 2/16/17
 LAST UPDATED 3/9/17 HB _____

SHORT TITLE Hunger-Free Students' Bill of Rights Act SB 374/SPAC

ANALYST Fernandez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

No Response Received From
 Public Education Department (PED)

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 397 strikes language in Section 3, Subsection D, requiring information to be entered into the “sustainability, tracking, assessment and rating” system and replaces it with a requirement to enter information into the student-teacher accountability reporting system. The amendment also inserts language in Section 3, Subsection D which would exempt a private or religious school from the Subsection. Finally, the amendment strikes all language in Section 6, Subsection A, pertaining to debt collection practices in the event a student meal debt is written off as an uncollectable bad debt.

Synopsis of Original Bill

Senate Bill 374 enacts the “Hunger-Free Students’ Bill of Rights Act” which would apply to public school districts, public schools, private schools or religious school that participate in the National School Lunch Program or School Breakfast Program.

FISCAL IMPLICATIONS

The provisions of the section of the bill that requires schools to write off bad debt may impact individual public schools and school districts. Also, the administrative support required to assist parents or guardians with the meal application process is unknown.

SIGNIFICANT ISSUES

SB374 requires school to provide a free, printed meal application in every school enrollment packet, or an electronic meal application, or schools must explain how parents and guardians may request a paper application at no cost. The meal applications must be in a language that parents and guardians can understand or if the parent or guardian cannot understand, the school must offer assistance in completing the application.

If a school finds out that a student has not submitted a meal application and is eligible for free or reduced-fee meals, the school shall complete and file an application for the student under the authority of Title 7, Section 245.6(d) of the Code of Federal Regulations.

The school liaison pursuant to the federal McKinney-Vento Homeless Assistance Act must coordinate with the nutrition department to make sure that a homeless student receives free school meals.

SB374 includes a section that requires schools to provide meals to students that request one, unless a parent or guardian has specifically provided written permission to the school to withhold a meal and schools shall not require that a student throw away a meal after it has been served because of a student's inability to pay for the meal or because money is owed for earlier meals. If a student owes money for 5 or more meals the school must determine if the student is categorically eligible for free meals and then must make at least 2 attempts to reach the student's parents or guardian and have them fill out a meal application. If assistance is needed, the school may help with the application process.

SB374 includes a section that prohibits schools from publicly identifying or stigmatizing a student who cannot pay for a meal or who owes a meal debt. A school cannot require a student that owes a meal debt to do chores or other work to pay for meals.

The bill also provides for debt collection practices of a school and how uncollectable debt shall be handled by schools.

CF/al/jle