



## 2025 South Dakota Legislature

# House Bill 1089

Introduced by: **Representative Wittman**

1 **An Act to establish parameters for the reimbursement of school districts that**  
 2 **provide free or reduced-price meals to students.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 13-35-2 be AMENDED:**

5 ~~13-35-2. Pupils and employed personnel of the school district or other agencies~~  
 6 ~~contracting with the Department of Education, who are fed through a school food services~~  
 7 ~~program may be charged for meals.~~ If a student is eligible for free or reduced-price meals  
 8 through the National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1, 2025),  
 9 or the School Breakfast Program, 42 U.S.C. § 1773 (January 1, 2025), the board of a  
 10 school district may not impose a charge upon a student for any meal provided through a  
 11 school food services program.

12 The board of a school district may impose a charge for any meal provided through  
 13 a school food services program to:

- 14 (1) A student who is not eligible for free or reduced-price meals through the National  
 15 School Lunch Program or the School Breakfast Program;  
 16 (2) An employee of the school district; or  
 17 (3) Any other individual, not otherwise exempted in accordance with this section.

18 Each school district shall ensure that the parent, legal guardian, or other custodian  
 19 of any student who is enrolled in the district and potentially eligible for free or reduced-  
 20 price meals, annually completes and submits a school meal application.

21 The Department of Education shall, with moneys appropriated in the General  
 22 Appropriations Act, reimburse each school district for costs incurred by the district in  
 23 providing meals to students who are eligible for free or reduced-price meals pursuant to  
 24 this section, less any amount reimbursed through the National School Lunch Program or  
 25 the School Breakfast Program.