



## 2026 South Dakota Legislature

# House Bill 1082

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.~~

8 If a student is eligible for reduced-price meals through the National School Lunch  
 9 Program, 42 U.S.C. § 1751, et seq. (January 1, 2026), or the School Breakfast Program,  
 10 42 U.S.C. § 1773 (January 1, 2026), the board of a school district may not impose a  
 11 charge upon the student for any meals served through the National School Lunch Program  
 12 or the School Breakfast program, provided by the school district's food services program.

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

15 (1) Any student other than a student who is eligible for free or reduced-price meals  
 16 through the National School Lunch Program or the School Breakfast Program;

17 (2) An employee of the school district; or

18 (3) Any other individual, not otherwise exempted in accordance with this section.

19 The Department of Education shall, with moneys appropriated in the general  
 20 appropriation bill, reimburse each school district for costs incurred by the district in  
 21 providing meals to students who are eligible for reduced-price meals in accordance with  
 22 this section, less any amount reimbursed through the National School Lunch Program or  
 23 the School Breakfast Program.