



2026 South Dakota Legislature

House Bill 1082

HOUSE APPROPRIATIONS ENGROSSED

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

10 (1) Any student other than a student who is eligible for free or reduced-price meals
 11 through the National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1,
 12 2026), or the School Breakfast Program, 42 U.S.C. § 1773 (January 1, 2026);

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

14 (3) Any other individual, not otherwise exempted in accordance with section 2 of this
 15 Act.

16 **Section 2. That a NEW SECTION be added to chapter 13-35:**

17 If a student is eligible for reduced-price meals through the National School Lunch
 18 Program, 42 U.S.C. § 1751, et seq. (January 1, 2026), or the School Breakfast Program,
 19 42 U.S.C. § 1773 (January 1, 2026), the board of a school district may not impose a
 20 charge upon the student for any meals served by the district through the National School
 21 Lunch Program or the School Breakfast Program.

22 **Section 3. That a NEW SECTION be added to chapter 13-35:**

23 On or before June thirtieth of each year, the department shall, based on
 24 information forwarded by each school district, calculate the amount to be reimbursed by

1 the department for the cost of meals served to students who may not be charged,
2 pursuant to section 2 of this Act. The department shall:

3 (1) Subtract the amount to be reimbursed to the district for each meal served to a
4 student eligible for reduced-price meals through the National School Lunch
5 Program, 42 U.S.C. § 1751, et seq. (January 1, 2026), or the School Breakfast
6 Program, 42 U.S.C. § 1773 (January 1, 2026), from the amount reimbursed to the
7 district for a meal served to a student eligible for free meals through either
8 program; and

9 (2) Multiply the difference of subdivision (1) by the number of meals served to students
10 who may not be charged, pursuant to section 2 of this Act.

11 The Department of Education shall, with moneys appropriated in the general
12 appropriation bill, reimburse each school district in accordance with this section.