



2026 South Dakota Legislature
House Bill 1082
ENROLLED

AN ACT

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

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

Section 1. That § 13-35-2 be AMENDED:

13-35-2. The board of a school district may impose a charge for any meal provided through the school district's food services program to:

- (1) Any student other than a student who is eligible for free or reduced-price meals through the National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1, 2026), or the School Breakfast Program, 42 U.S.C. § 1773 (January 1, 2026);
- (2) An employee of the school district; or
- (3) Any other individual, not otherwise exempted in accordance with section 2 of this Act.

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

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

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

On or before June thirtieth of each year, the department shall, based on information forwarded by each school district, calculate the amount to be reimbursed by the department for the cost of meals served to students who may not be charged, pursuant to section 2 of this Act. The department shall:

- (1) Subtract the amount to be reimbursed to the district for each meal served to a student eligible for reduced-price meals through the National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1, 2026), or the School Breakfast Program, 42 U.S.C. § 1773 (January 1, 2026), from the amount reimbursed to the district for a meal served to a student eligible for free meals through either program; and
- (2) Multiply the difference of subdivision (1) by the number of meals served to students who may not be charged, pursuant to section 2 of this Act.

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

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

I certify that the attached Act originated in
the:
House as Bill No. 1082

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1082
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State