

2024 South Dakota Legislature

House Bill 1238**AMENDMENT 1238A
FOR THE INTRODUCED BILL**

1 **An Act to reimburse school districts for costs incurred in providing reduced price**
2 **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 meals through the
8 National School Lunch Program, 42 U.S.C. § 1751, et seq. (January 1, 2024), or the School
9 Breakfast Program, 42 U.S.C. § 1773 (January 1, 2024), the board of a school district
10 may not impose a charge upon the student for any meal provided through a school food
11 services program.

12 If a student is eligible for reduced-price meals through the National School Lunch
13 Program or the School Breakfast Program, the board of a school district may impose only
14 such meal charges upon the student as are permitted in accordance with the federal
15 programs.

16 If a student is not eligible for reduced-price meals through the National School
17 Lunch Program or the School Breakfast Program, but has a family income that is less than
18 two hundred and nine percent of the poverty line, as defined in the Omnibus Budget
19 Reconciliation Act of 1981, 42 U.S.C. § 9902 (January 1, 2024), the district may provide
20 the student with reduced-price meals, and charge the student an amount no greater than
21 that paid by a student who is eligible for reduced-price meals.

22 The Department of Education shall, with moneys ~~appropriated in the General~~
23 ~~Appropriations Act, from the Governor's Office of Economic Development Future Fund,~~
24 reimburse the school district for the costs incurred in providing meals to a student who is
25 not eligible for reduced-price meals through the National School Lunch Program or the
26 School Breakfast Program, but has a family income that is less than two hundred and nine

- 1 percent of the poverty line, less any amount charged to the student in accordance with
- 2 this section.

AMENDMENT