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FISCAL IMPACT REPORT

SPONSOR SEC ORIGINAL DATE 2/12/16
 LAST UPDATED _____ HB _____

SHORT TITLE Rename "Breakfast After the Bell Program" SB 144/SECS/aSEC

ANALYST Elkins

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Senate Education Committee Amendment

Senate Education Committee Amendment to Senate Education Committee Substitute for Senate Bill 144 adds language allowing schools to serve breakfast on the bus.

Synopsis of SEC Substitute for SB 144

Senate Education Committee Substitute for Senate Bill 144 amends the Public School Code to clarify that schools that establish a breakfast after the bell program are not prohibited from beginning breakfast service before the start of the instructional day provided the schools also serve breakfast after the beginning of the instructional day.

FISCAL IMPLICATIONS

The bill does not have any direct fiscal implications. The program received \$1.9 million in FY15 and FY16 for elementary schools. Currently, House Bill 2 continues flat funding for the elementary school breakfast program.

SIGNIFICANT ISSUES

For FY16, the General Appropriations Act contained language that allowed schools the option to serve breakfast either before or after the bell.

According to PED's analysis of a similar bill, eligible students are considered those students who attend a public elementary school in which 85% or more of the enrolled students are eligible for free or reduced-price lunch under the National School Lunch Act during the prior school year. If the school meets this definition, they must make a free breakfast available to all eligible students after the instructional day begins ("after the bell"). In addition to this requirement, the Public Education Department (PED) has communicated with local education agencies that a school may choose to provide breakfast before the instructional day begins ("before the bell") but must ensure that any student that does not take advantage of breakfast before the bell is given the opportunity to eat breakfast after the instructional day begins.

PED noted in a previous analysis there are no federal restrictions regarding whether breakfast is served before or after the bell per Title 7, *Code of Federal Regulations (7 CFR)*, Section 220.2(b).

SB144 supports the PED's strategic lever that all students are ready to learn by reinforcing the linkage between health and academic success.

ADMINISTRATIVE IMPLICATIONS

At the school's discretion, they may determine the best time for a student to have breakfast during instruction or before the school day.

CE/jle