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## FISCAL IMPACT REPORT

SPONSOR Padilla ORIGINAL DATE 2/11/2020  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE Free and Reduced-Fee Meal Applications SB 10  
ANALYST Gaussoin

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY20	FY21	FY22	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>				No Fiscal Implications		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to House Bills 10, 75, and 315, House Memorial 6, Senate Bill 252, and Senate Memorials 3 and 10.

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Attorney General (NMAG)  
Public Education Department (PED)

No Response Received  
Albuquerque Public Schools

### SUMMARY

#### Synopsis of Bill

Senate Bill 10 requires all public schools that participate in the National School Lunch Program to collect a free- and reduced-fee meal application from the parents or guardians of all students at the time of registration. The bill deems any registration without the application as incomplete.

There is no effective date of this bill. It is assumed the effective date is 90 days following adjournment of the Legislature.

### FISCAL IMPLICATIONS

While SB10 adds a minor step to the school registration process, its enactment would require PED to seek exceptions to federal law. Nevertheless, it is unlikely to have any fiscal implications.

## **SIGNIFICANT ISSUES**

PED notes federal law requires local educational agencies to create a form that allows a household to apply for meals for all children served by the agency at the same time and prohibits the agency from requiring a household to submit an application for each child.

Further, PED says federal law prohibits the submission of meal applications before July 1 and requires schools to process the applications within 10 days, but many schools begin registering student in the spring. PED would need to seek an exemption from federal law.

NMAG raises concerns SB10 might impact a student's ability to attend school because the consequences of failing to complete a meal application are unclear.

## **ADMINISTRATIVE IMPLICATIONS**

Enactment of SB10 would require PED to apply for a federal exception to the National School Lunch Program rules and possibly to revise New Mexico administrative code.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB10 appropriates \$650 thousand from the general fund to PED for FY21 to eliminate reduced-price copayments for public school meal programs.

HB75 would appropriate \$200 thousand in FY21 from the general fund to the Human Services Department to convene a task force to conduct a study and an assessment of hunger, malnutrition, and food production and distribution in New Mexico.

HB315 would create a program for awarding grants to certain schools that would provide free meals to all the students in the school.

HM6 requests the secretary of the Human Services Department to convene a task force to study and assess hunger, malnutrition, food production and distribution; assess existing data; and identify the state's barriers to ensuring that all New Mexicans have access to a nutritious and sufficient diet.

SB252 appropriates \$100 thousand from the general fund to the Public Education Department to expand food school programs to provide meals with local ingredients to low-income families during nonschool hours.

SM3 requests the New Mexico Agriculture Department convene a work group to study how to best coordinate with farmers to glean unharvested produce to help alleviate food insecurity.

SM10 requests PED convene a working group to study repackaging school meals for donation to students.

## **TECHNICAL ISSUES**

Given the conflict in federal law concerning household applications, language in the bill might

need to be clarified.

**OTHER SUBSTANTIVE ISSUES**

The Human Services Department reports New Mexico has the nation's second highest food insecurity rate, with 27 percent of children without access to enough nutritious food. Food insecurity has been associated with poor physical health, obesity, and diminished growth and development in childhood.

HFG/sb