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FISCAL IMPACT REPORT

SPONSOR Armstrong, D. ORIGINAL DATE 2/09/18
LAST UPDATED _____ HM 55

SHORT TITLE Reduce School Food Waste SB _____

ANALYST Liu

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See Fiscal Implications				

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 62, HB 136, SB 106, SJM 16

SOURCES OF INFORMATION

LFC Files

Legislative Education Study Committee (LESC) Files

Responses Received From

Children, Youth and Families Department (CYFD)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Memorial 55 requires LESC and the Legislative Health and Human Services Committee (LHHSC) to review existing school food programs to reduce food waste and study ways to provide unused or uneaten food for hungry children.

FISCAL IMPLICATIONS

Costs of reviewing and studying school food program would be borne by LESC and LHHSC; however, the fiscal impacts are expected to be minimal.

PED notes requiring school districts and schools to share unused and uneaten food to benefit hungry children could have a fiscal impact. Depending on how the unused or uneaten food is to be distributed, school districts and schools would be required to transport food while maintaining all food handling requirements (keeping foods hot or cold) and many schools and school districts do not have the equipment to transfer these foods. Non-perishable foods are easier to distribute.

SIGNIFICANT ISSUES

According to guidance provided by the U.S. Department of Agriculture in 2012, the 2011 amendment to the National School Lunch Act “clarifies that any program food not consumed may be donated to eligible local food banks or charitable organizations. The amendment defines the terms “eligible local food banks or charitable organizations” to mean any food bank or charitable organization which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)). It also extends protections against civil and criminal liability for persons or organizations when making food donations to the extent provided under the Bill Emerson Good Samaritan Food Donation Act, found in section 22 of the Child Nutrition Act.”

PED notes school districts and schools participating in the National School Lunch Program and school breakfast programs have New Meal Pattern requirements specifying serving sizes, prohibiting additional food distribution during meal serving, and establishing criteria for meal reimbursement.

PED highlights several practices for reducing food waste. One practice is the ‘offer versus serve’ option, which reduces food waste by giving students the opportunity to select the meal items they will eat. Offer versus serve is only required for high schools, as opposed to elementary and middle schools. Schools may also request waivers from PED to allow flexibility with the requirements for serving students whole grain meal items, such as pastas and tortillas, and serving students flavored low-fat milk. PED notes these practices have helped to reduce the amount of school meal waste.

RELATIONSHIP

This bill relates to House Bill 62 and Senate Bill 106, which make an appropriation to PED for the New Mexico-grown fruits and vegetables program; House Bill 136, which requires public school employees to be trained on childhood poverty awareness; and Senate Joint Memorial 16, which requests PED to identify the availability of federal programs to improve school meals, student health, program funding, and training.

SL/jle