



Rep. Maurice A. West, II

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10300HB2471ham001

LRB103 26114 RJT 59266 a

1 AMENDMENT TO HOUSE BILL 2471

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2471 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. Findings.

5 (a) The General Assembly finds that:

6 (1) no Illinois child should experience hunger, and  
7 every student should benefit from access to healthy,  
8 locally procured, and freshly prepared meals during the  
9 school day;

10 (2) healthy school meals are necessary for all  
11 students for effective learning, and the State's  
12 investment in education should include healthy school  
13 meals for all students to support the nourishment students  
14 need to achieve academic success;

15 (3) access to healthy school meals should not cause  
16 stigma or stress for any student seeking an education;

17 (4) Illinois's healthy school meals program should

1 support Illinois's food systems, including historically  
2 underserved producers and processors;

3 (5) Illinois's healthy school meals program must  
4 support students' nutrition and provide quality meals to  
5 boost the health and well-being of Illinois students;

6 (6) during the COVID-19 pandemic, the United States  
7 Department of Agriculture allowed schools to serve free  
8 meals to all students via a waiver, ensuring that all  
9 students facing hunger had access to food while in school;  
10 and

11 (7) now that the waiver is no longer in place, but  
12 strategies exist to prevent hunger for all students during  
13 the school day, it is imperative that the State embrace  
14 these strategies to move toward the goal of ending child  
15 hunger.

16 (b) The General Assembly finds that it is in the best  
17 interests of the students of Illinois and their families to  
18 implement the Healthy School Meals for All Program to provide  
19 free breakfast and lunch in schools for all students.

20 Section 10. The School Breakfast and Lunch Program Act is  
21 amended by changing Section 2 and by adding Section 2.3 as  
22 follows:

23 (105 ILCS 125/2) (from Ch. 122, par. 712.2)

24 Sec. 2. Reimbursement of sponsors. The State Board of

1 Education is authorized to reimburse school boards and welfare  
2 centers that operate free breakfast programs, school breakfast  
3 programs, free lunch programs, or school lunch programs for a  
4 portion of the costs of food served in balanced, nutritious  
5 breakfasts or lunches and served to students in non-profit  
6 public or private schools and non-profit welfare centers.

7 The State Board of Education shall reimburse not less than  
8 \$0.15 or the actual cost, whichever is less, to School Boards  
9 and non-profit welfare centers for each free lunch and not  
10 less than \$0.15 or the actual cost, whichever is less, for each  
11 free breakfast supplied by them. This appropriation shall be  
12 in addition to any federal contributions.

13 (Source: P.A. 91-843, eff. 6-22-00.)

14 (105 ILCS 125/2.3 new)

15 Sec. 2.3. Healthy School Meals for All Program.

16 (a) In this Section:

17 "Community Eligibility Provision" means the federal  
18 program created in 42 U.S.C. 1759a(a)(1)(F) that allows school  
19 districts to choose to receive federal special assistance  
20 payments for school meals in exchange for providing free  
21 school meals to all students enrolled in all or selected  
22 schools of the school district.

23 "Eligible meal" means a lunch or breakfast that meets the  
24 nutritional requirements specified in 7 CFR 210.10 or  
25 successor regulations for the National School Lunch Program or

1 the National School Breakfast Program.

2 "Federal free reimbursement rate" means the free  
3 reimbursement rate set by the United States Department of  
4 Agriculture for meals that qualify for reimbursement under the  
5 National School Breakfast Program and the National School  
6 Lunch Program.

7 "Identified student percentage" means the percentage of a  
8 school's, group of schools', or local education agency's  
9 enrolled students who are certified as eligible for free meals  
10 based on documentation of benefit receipt or categorical  
11 eligibility as described in 7 CFR 245.6 and 7 CFR 245.9 or  
12 successor regulations.

13 "National School Breakfast Program" means the federal  
14 school breakfast program created in 42 U.S.C. 1773.

15 "National School Lunch Program" means the federal school  
16 lunch program created in the Richard B. Russell National  
17 School Lunch Act.

18 "Participating school board" means the school board of a  
19 school district or the governing body of a nonpublic school  
20 that chooses to participate in the Healthy School Meals for  
21 All Program.

22 "Special assistance alternative" means a special nutrition  
23 assistance alternative federal reimbursement method that is  
24 authorized by the United States Department of Agriculture,  
25 pursuant to 42 U.S.C. 1759a and 7 CFR Part 245, for eligible  
26 schools that serve free meals to all enrolled students.

1 "Special assistance alternative" includes the Community  
2 Eligibility Provision.

3 (b) The State Board of Education shall establish the  
4 Healthy School Meals for All Program to begin on July 1, 2023.  
5 Each participating school board that chooses to participate in  
6 the Healthy School Meals for All Program shall offer eligible  
7 meals, without charge, to all students enrolled in schools  
8 that participate in the National School Breakfast Program and  
9 National School Lunch Program.

10 Subject to appropriation, a participating school board  
11 shall receive reimbursement for the meals set forth in  
12 subsection (c) of this Section. Reimbursement from State funds  
13 shall be available only to participating school boards that  
14 maximize access to federal funds for the cost of the National  
15 School Breakfast Program and National School Lunch Program by  
16 participating in the Community Eligibility Provision or  
17 another special assistance alternative, if eligible, and  
18 operate the National School Breakfast Program and National  
19 School Lunch Program in a way that in the opinion of the State  
20 Board of Education draws down the most possible federal  
21 funding for meals served in the National School Breakfast  
22 Program and National School Lunch Program.

23 (c) It is the intent of the General Assembly that this  
24 State, participating school boards, and participating schools  
25 use all federal funds, federal programs, and federal  
26 provisions in carrying out the Healthy School Meals for All

1 Program. The amount of the State reimbursement provided  
2 through the Program to each participating school board for  
3 each budget year shall be equal to the federal free  
4 reimbursement rate multiplied by the total number of eligible  
5 meals that the participating schools serve during the  
6 applicable budget year, minus the total amount of  
7 reimbursement for eligible meals served during the applicable  
8 budget year that the participating school board receives  
9 pursuant to the National School Breakfast Program and the  
10 National School Lunch Program.

11 If at any time the appropriation is insufficient to cover  
12 all school boards interested in participating in the Healthy  
13 School Meals for All Program as described in this subsection,  
14 the State Board of Education shall reimburse school boards  
15 participating in the community eligibility provision with  
16 higher priority for schools with higher identified student  
17 percentages that would not otherwise receive the federal free  
18 reimbursement rate for all meals served, and then distribute  
19 any remaining appropriation in an equitable manner as  
20 determined by the State Board of Education among remaining  
21 schools interested in participating in the Healthy School  
22 Meals for All Program. If at any time the appropriation is  
23 insufficient to cover all school boards interested in  
24 participating in the Healthy School Meals for All Program, The  
25 State Board of Education shall communicate the implications of  
26 the insufficient appropriation with eligible schools in a

1 timely manner to allow schools sufficient time to make  
2 informed decisions about their food service administration.

3 (d) The State Board of Education shall develop procedures  
4 to allocate and disburse the money appropriated for  
5 reimbursements pursuant to this Section throughout each budget  
6 year, in a schedule determined by the State Board of  
7 Education, among participating school boards in an equitable  
8 manner and in compliance with the requirements of the National  
9 School Breakfast Program and the National School Lunch  
10 Program.

11 (e) A participating school board shall annually give  
12 notice to the State Board of Education of the intention to  
13 participate in the Healthy School Meals for All Program. At a  
14 minimum, if it is eligible to participate, the notice must  
15 include evidence that it is participating in the Community  
16 Eligibility Provision or another special assistance  
17 alternative, as set forth in subsection (b) of this Section.

18 (f) If the United States Department of Agriculture creates  
19 the option for the State, as a whole, to participate in the  
20 Community Eligibility Provision, the State Board of Education  
21 shall evaluate whether that option would be anticipated to  
22 require less State funding than the Healthy School Meals for  
23 All Program and provide at least as many free meals to students  
24 in this State. If that option is anticipated to require less  
25 State funding and provide at least as many free meals as the  
26 Healthy School Meals for All Program, then the State Board of

1 Education shall elect that option and work with participating  
2 school boards and necessary State and local agencies to  
3 collect data and implement the Community Eligibility Provision  
4 statewide, and participating school boards shall be reimbursed  
5 as set forth in subsection (c) of this Section. Until the State  
6 participates in the Community Eligibility Provision as a  
7 State, each participating school board, as a condition of  
8 participating in the Healthy School Meals for All Program,  
9 must maximize the amount of federal reimbursement it receives  
10 as set forth in subsection (b) of this Section.

11 (g) The State Board of Education shall notify each  
12 participating school board that is eligible for participation  
13 in the Community Eligibility Provision or another special  
14 assistance alternative of its eligibility and that, through  
15 the Healthy School Meals for All Program, it will receive a  
16 supplemental, State-funded meal reimbursement in addition to  
17 any federal meal reimbursement received as set forth in  
18 subsection (c) of this Section. The State Board of Education  
19 shall support and provide technical assistance to schools and  
20 school districts as needed to support their enrollment in the  
21 Community Eligibility Program or another special assistance  
22 alternative. The Healthy School Meals for All Program shall be  
23 open to all eligible schools and school districts.

24 (h) The State Board of Education shall support schools and  
25 school districts to achieve the highest level of student  
26 participation in operating their school breakfast and lunch



1 programs, which may include any or all of the following:

2 (1) providing breakfast meals that can be picked up by  
3 students;

4 (2) making breakfast available to students in  
5 classrooms after the start of the school day; and

6 (3) collaborating with a school's wellness or similar  
7 committee in planning school meals.

8 (i) If the State Board of Education no longer receives  
9 federal funding for the United States Department of  
10 Agriculture's Local Food for Schools Cooperative Agreement  
11 Program, the State Board of Education shall sustain the  
12 program, subject to appropriation. The State Board of  
13 Education shall use the infrastructure, systems, and  
14 eligibility criteria created through the Local Food for  
15 Schools Cooperative Agreement Program to sustain school food  
16 authorities' ability to purchase and serve local foods.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.".