

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35414-NHa-213

Short Title: School Meals for Every Child. (Public)

Sponsors: Senators Mohammed, Murdock, and Applewhite (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE BREAKFAST AND LUNCH IN PUBLIC SCHOOLS AT NO COST
3 TO STUDENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 115C-263 reads as rewritten:

6 "§ 115C-263. School nutrition services.

7 (a) As a part of the function of the public school system, ~~local boards of education public~~
8 school units shall have a school food authority to provide to the extent practicable school nutrition
9 services in the schools under their jurisdiction. The school food authority shall offer students two
10 meals per day, breakfast and lunch, at no cost to the student. All school nutrition services made
11 available under this authority shall be provided in accordance with federal guidelines established
12 by the Food and Nutrition Service of the United States Department of Agriculture.

13 (b) ~~The~~ To the extent that funds are made available for the purpose, the State Board of
14 Education shall allocate funds to school food authorities at public school units for the purpose of
15 providing healthy nutrition services at no cost to students. In issuing the allocation, the Board
16 shall do the following:

17 (1) Determine the amount to allocate to each school food authority based on an
18 evaluation of the authority's nutrition services. The Board shall develop the
19 method and criteria for the evaluation, which, at a minimum, shall account for
20 the following:

- 21 a. The size of the schools served by the school food authority as
22 determined by average daily membership.
23 b. The number of students that are eligible for free or reduced-price lunch
24 and the estimated receipts from the National School Lunch Program.
25 c. The funds actually expended in the prior year, which may be waived
26 if the school food authority was not in operation in the year prior.
27 d. The extent to which the nutrition services promote health and wellness
28 by providing food that is of high quality and nutrient content.
29 e. The extent to which the school food authority uses locally sourced
30 food and products.
31 f. Any other information the Board deems relevant to the cost and
32 operation of the nutrition services.

33 (2) Ensure the funds are distributed on a fair and equitable basis.

34 (3) Issue the allocation at the beginning of each fiscal year, except that the Board
35 may reserve for future allocation a reasonable amount, not to exceed ten
36 percent (10%) of the total funds available for providing nutrition services.



1 (c) The State Board of Education may adopt rules regulating the provision of school
2 nutrition that impose additional restrictions that are not inconsistent with the federal guidelines.

3 (d) Funds allocated pursuant to this section shall supplement and not supplant funds from
4 any other source provided for the same purpose."

5 **SECTION 1.(b)** G.S. 115C-264(a) reads as rewritten:

6 "(a) Local boards of education operating school nutrition programs shall participate in the
7 federal National School Lunch Program established by the federal government and, if eligible,
8 the Community Eligibility Provision Program. School nutrition programs shall be under the
9 jurisdiction of the Division of School Nutrition of the Department of Public Instruction."

10 **SECTION 1.(c)** G.S. 115C-150.14 is amended by adding a new subsection to read:

11 "(a1) A school governed by this Article shall provide school nutrition services in
12 accordance with G.S. 115C-263 and G.S. 115C-264."

13 **SECTION 1.(d)** G.S. 115C-218.75 is amended by adding a new subsection to read:

14 "(p) A charter school shall provide school nutrition services in accordance with
15 G.S. 115C-263 and G.S. 115C-264."

16 **SECTION 1.(e)** G.S. 115C-238.72(b) reads as rewritten:

17 "(b) ~~Food Nutrition~~ Service. – The local school administrative unit identified by resolution
18 shall ~~provide, to the extent practicable, school food~~ provide school nutrition services to the
19 regional ~~school.~~ school in accordance with G.S. 115C-263 and G.S. 115C-264. For purposes of
20 federal funding through the National School Lunch Program or other federally supported ~~food~~
21 nutrition service programs, the local school administrative unit identified by resolution shall be
22 permitted to include eligible students enrolled in the regional school. Other participating units
23 shall not include students enrolled in the regional school for purposes of federally supported ~~food~~
24 nutrition service programs."

25 **SECTION 1.(f)** G.S. 116-239.8(b)(4)c. reads as rewritten:

26 "c. ~~Food Nutrition~~ services. – Laboratory schools shall provide school
27 nutrition services in accordance with G.S. 115C-263 and
28 G.S. 115C-264. The laboratory school shall strive to ensure that one
29 hundred percent (100%) muscadine grape juice is made available to
30 students as a part of the school's nutrition program or through the
31 operation of the school's vending facilities. Upon request, the local
32 school administrative unit in which the laboratory school is located
33 shall administer the National School Lunch Program for the laboratory
34 ~~school in accordance with G.S. 115C-264.school."~~

35 **SECTION 2.** There is appropriated from the General Fund to the Department of
36 Public Instruction the sum of one hundred sixteen million dollars (\$116,000,000) in recurring
37 funds beginning in the 2026-2027 fiscal year to provide nutrition services to students in public
38 school units at no cost to the students in accordance with this act. Should this appropriation not
39 be sufficient to fulfill the provisions of this section for the 2026-2027 fiscal year, the State Board
40 of Education may use funds appropriated to State Aid for Public Schools for this purpose.

41 **SECTION 3.** This act becomes effective July 1, 2026, and applies beginning with
42 the 2026-2027 school year.