**A** **BILL**

TO AMEND SECTION 59-63-790 OF THE 1976 CODE, RELATING TO SCHOOL BREAKFAST AND SCHOOL LUNCH PROGRAMS, TO PROVIDE THAT BY SCHOOL YEAR 2018-2019, EACH SCHOOL DISTRICT SHALL IMPLEMENT IN EACH SCHOOL A NUTRITIONAL, WELL-BALANCED SCHOOL BREAKFAST AND LUNCH PROGRAM AT NO COST TO THE STUDENT; TO AMEND SECTION 59-63-800 OF THE 1976 CODE, RELATING TO WAIVER OF SCHOOL BREAKFAST AND SCHOOL LUNCH PROGRAMS, TO DELETE THAT THE BOARD OF EDUCATION MAY GRANT A WAIVER AND TO PROVIDE THAT THE STATE SHALL BEAR THE COSTS OF FACILITIES IF A SCHOOL LACKS THE EQUIPMENT OR FACILITIES NECESSARY TO IMPLEMENT THE SCHOOL BREAKFAST AND LUNCH PROGRAM; AND TO REPEAL SECTIONS 59-63-765 AND 59-63-780 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-63-790 of the 1976 Code is amended to read:

“Section 59-63-790. ~~Notwithstanding the provisions of Section 59-63-765 of the 1976 Code, by school year 1993-94~~ By school year 2018-19, each school district shall implement in each school in the district a nutritional, well-balanced school breakfast and lunch program at no cost to the student. The costs associated with the school breakfast and lunch program shall be borne by the State Department.”

SECTION 2. Section 59-63-800 of the 1976 Code is amended to read:

“Section 59-63-800. ~~The State Board of Education may grant a waiver of the requirements of § 59-63-790 to a~~ A school which lacks facilities or equipment to offer a school breakfast and lunch program and in which the acquisition of such equipment or facilities would cause an extreme hardship shall receive the costs necessary to acquire equipment and facilities from the State. ~~Waivers may also be granted if participation in the program is too small to allow the program to be cost-effective or may create substantial scheduling difficulties. The waiver may be permanent or may be of a specified length of time as determined by the board.~~ The State Board of Education shall promulgate those regulations necessary to implement the provisions of this act.”

SECTION 3. Sections 59-63-765 and 59-63-780 of the 1976 Code are repealed.

SECTION 4. This act takes effect upon approval by the Governor.

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