~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

February 26, 2020

**H. 3328**

Introduced by Reps. King, Clyburn, Henegan, Garvin and McDaniel

S. Printed 2/26/20--H.

Read the first time January 8, 2019.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑63‑785 SO AS TO PROVIDE STUDENTS DETERMINED ELIGIBLE TO RECEIVE FREE LUNCHES AND STUDENTS DETERMINED ELIGIBLE TO RECEIVE REDUCED PRICE LUNCHES MUST BE OFFERED THE SAME CHOICE OF MEALS AND MILK OFFERED TO CHILDREN WHO PAY THE FULL PRICE FOR THEIR MEALS OR MILK.

Amend Title To Conform

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

SECTION 1. Article 7, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59‑63‑785. (A) Students ~~determined~~ eligible for free and reduced meal benefits must be offered the same federally reimbursable meal as students not eligible for free and reduced meals as prescribed in 7 C.F.R. Part 215 and the Special Milk Program. Federally reimbursable meals must be offered even if the student owes money for previous meals ~~to receive free lunches and students determined eligible to receive reduced price lunches must be offered the same choice of meals and milk offered to children who pay the full price for their meals or milk, regardless of whether one lunch or type of milk offered meets the requirements prescribed in the National School Lunch Program, found in 7 C.F.R. Part 210, and the Special Milk Program for Children, found in 7 C.F.R. Part 215. The provisions of this section do not prohibit a school from offering an alternate menu item to students who are required to pay full price or a reduced price for lunch but fails to pay as required~~.

(B) Schools that offer food and beverages separate from federally reimbursable meals may not allow students to accrue a balance when purchasing items, and only may accept cash payment or allow funds to be electronically drawn from a prepaid balance.

(C) A school or school district may not invoke penalties for failing to pay for a school lunch, including but limited to, prohibiting students from attending field trips, participating in graduation or other recognition ceremonies, or attending other academic related activities.

(D) The State Department of Education shall develop and provide a model policy and template to each school district regarding the collection of school meal debt.”

SECTION 2. This act takes effect August 1, 2021.

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