

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 713
Apr 2, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30303-NHa-132

Short Title: Universal Free Breakfast and Lunch.

(Public)

Sponsors: Representative Brockman.

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. – The laboratory school shall strive to ensure
27 that one hundred percent (100%) muscadine grape juice is made
28 available to students as a part of the school's nutrition program or
29 through the operation of the school's vending facilities. Laboratory
30 schools shall provide school nutrition services in accordance with
31 G.S. 115C-263 and G.S. 115C-264. Upon request, the local school
32 administrative unit in which the laboratory school is located shall
33 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 forty-four million dollars (\$144,000,000) in recurring
37 funds for the 2025-2026 fiscal year to provide nutrition services to students in public school units
38 at no cost to the students in accordance with this section. Should this appropriation not be
39 sufficient to fulfill the provisions of this section for the 2025-2026 fiscal year, the State Board of
40 Education may use funds appropriated to State Aid for Public Schools for this purpose.

41 **SECTION 3.** Section 2 of this act becomes effective July 1, 2025. The remainder of
42 this act is effective when it becomes law and applies beginning with the 2025-2026 school year.