State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2189/2
KMS:cdc

2025 SENATE BILL 228

April 29, 2025 - Introduced by Senator CABRAL-GUEVARA, cosponsored by Representatives MOSES, CALLAHAN, O'CONNOR, ALLEN, BEHNKE, GOEBEN, KNODL, MELOTIK, MURSAU and WICHGERS. Referred to Committee on Health.

AN ACT ***to amend*** 119.04 (1); ***to create*** 118.073 of the statutes; **relating to:** prohibiting school boards and independent charter schools from providing food containing certain ingredients in free or reduced-price meals.

Analysis by the Legislative Reference Bureau

This bill prohibits school boards and independent charter schools from providing food that contains brominated vegetable oil, potassium bromate, propylparaben, azodicarbonamide, or red dye 3 to pupils as part of free or reduced-price meals provided under the National School Lunch Program or the federal School Breakfast Program. The bill does not prohibit school boards and independent charter schools from allowing private vendors to serve food containing any of those ingredients on school premises or at school-sponsored activities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 118.073 of the statutes is created to read:

118.073 Prohibited ingredients in school meals. (1) No school board or charter school authorized under s. 118.40 (2r) or (2x) may provide to a pupil as part

of a free or reduced-price meal provided under the national school lunch program under 42 USC 1751 to 1769j or the federal school breakfast program under 42 USC 1773 food that contains any of the following ingredients:

(a) Brominated vegetable oil.

(b) Potassium bromate.

(c) Propylparaben.

(d) Azodicarbonamide.

(e) Red dye 3.

(2) This section does not prohibit a school board or a charter school authorized under s. 118.40 (2r) or (2x) from allowing a private entity to serve food that contains any of the ingredients under sub. (1) (a) to (e) on school premises or at a school-sponsored activity.

SECTION 2. 119.04 (1) of the statutes is amended to read:

119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.073, 118.075, 118.076, 118.10, 118.12, 118.124, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.2935, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 118.58, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city

school district and board but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

SECTION 3. Effective date.

(1) This act takes effect on July 1, 2027.

(END)