



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0951/P2
FFK:emw

DOA:.....Kretschmann, BB0100 - Supplemental Nutrition Aid

FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Supplemental nutrition aid

This bill creates supplemental nutrition aid, a categorical aid to reimburse educational agencies for school meals provided to pupils who satisfy the income criteria for a reduced-price lunch under the federal school lunch program and pupils who do not satisfy the income criteria for a free or reduced-price lunch under the federal school lunch program. An educational agency is eligible for supplemental nutrition aid if the educational agency does not charge pupils for school meals for which the educational agency receives reimbursement from the federal government. Under the bill, the amount of aid is equal to the sum of 1) the number of school meals provided in the previous school year to pupils who satisfy the income criteria for a reduced-price lunch multiplied by the difference between the free-meal reimbursement amount and the reduced-price-meal reimbursement amount and 2) the number of school meals provided in the previous year to pupils who do not satisfy the income criteria for a free or reduced-price lunch multiplied by the difference between the free-meal reimbursement amount and the reimbursement amount for a paid school meal. Supplemental nutrition aid is first paid to educational agencies in the 2024-25 school year for school meals provided during the 2023-24 school year.

Under the bill, supplemental nutrition aid is funded by a sum sufficient appropriation, which ensures that educational agencies receive the full amount of aid to which they are entitled.

The bill defines a “school meal” as a school lunch or snack under the federal school lunch program and a breakfast under the federal school breakfast program and an “educational agency” as a school board, an operator of an independent charter school, the director of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, an operator of a residential care center for children and youth, a tribal school, or a private school.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.255 (2) (co) of the statutes is created to read:

20.255 (2) (co) *Supplemental nutrition aid.* A sum sufficient for payments under s. 115.3415.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 115.3415 of the statutes is created to read:

115.3415 Supplemental nutrition aid. (1) DEFINITIONS. In this section:

(a) “Educational agency” means a school board, an operator of a charter school under s. 118.40 (2r) or (2x), a private school, a tribal school, an operator of a residential care center for children and youth, as defined in s. 115.76 (14g), the director of the program under s. 115.52, and the director of the center under s. 115.525.

(b) “Eligible pupil” means a pupil who satisfies the income eligibility criteria for a reduced-price lunch under [42 USC 1758](#) (b) (1).

(c) “Federal school breakfast program” means the program under [42 USC 1773](#).

(d) “Federal school lunch program” means the program under [42 USC 1751](#) to [1769j](#).

(e) “Free-meal reimbursement amount” means the reimbursement amount in the previous school year for a school meal provided to a pupil who satisfies the income eligibility for a free lunch under the federal school lunch program.

(f) “Ineligible pupil” means a pupil who does not satisfy the income eligibility criteria for a free or reduced-price lunch under [42 USC 1758](#) (b) (1).

(g) “Paid-meal reimbursement amount” means the reimbursement amount in the previous school year for a school meal provided to an ineligible pupil.

(h) “Reduced-price-meal reimbursement amount” means the reimbursement amount in the previous school year for a school meal provided to an eligible pupil.

(i) “Reimbursement amount” means the national average payment rate for a school meal, as announced by the food and nutrition service of the federal department of agriculture in the federal register.

(j) “School meal” means a lunch made available under the federal school lunch program, a meal supplement made available under the federal school lunch program, or a breakfast made available under the federal school breakfast program.

(2) ELIGIBILITY. An educational agency is eligible for payments under this section if the educational agency does not charge pupils for school meals for which the educational agency receives reimbursement under the federal school breakfast program or the federal school lunch program.

(3) ANNUAL PAYMENT. From the appropriation under s. 20.255 (2) (co), in the 2024-25 school year and each school year thereafter, the state superintendent shall pay to each educational agency the sum of all of the following:

(a) The total number of lunches provided by the educational agency to eligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the reduced-price-meal reimbursement amount for a lunch and the free-meal reimbursement amount for a lunch.

(b) The total number of lunches provided by the educational agency to ineligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the paid-meal reimbursement amount for a lunch and the free-meal reimbursement amount for a lunch.

(c) The total number of breakfasts provided by the educational agency to eligible pupils under the federal school breakfast program in the previous school year multiplied by the difference between the reduced-price-meal reimbursement amount for a breakfast and the free-meal reimbursement amount for a breakfast.

(d) The total number of breakfasts provided by the educational agency to ineligible pupils under the federal school breakfast program in the previous school year multiplied by the difference between the paid-meal reimbursement amount for a breakfast and the free-meal reimbursement amount for a breakfast.

(e) The total number of meal supplements provided by the educational agency to eligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the reduced-price-meal reimbursement amount for a meal supplement and the free-meal reimbursement amount for a meal supplement.

(f) The total number of meal supplements provided by the educational agency to ineligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the paid-meal reimbursement amount for

a meal supplement and the free-meal reimbursement amount for a meal supplement.

(END)