

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. A26
(to be filled in by
Principal Clerk)

S257-ANH-20 [v.5]

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Amends Title [NO]
Fifth Edition

Date _____, 2025

Representative Logan

moves to amend the bill on page 169, lines 16-17, by inserting between the lines the following new section to read:

"UNIVERSAL FREE LUNCH AND MEAL DEBT

SECTION 7.65.(a) G.S. 115C-263 reads as rewritten:

"§ 115C-263. School nutrition services.

(a) As a part of the function of the public school system, ~~local boards of education~~ public school units shall ~~have a school food authority to provide to the extent practicable~~ school nutrition services in the schools under their jurisdiction by offering students lunch at no cost to the student. A school food authority may offer students a breakfast option at a cost to the student, unless the student is eligible for the School Breakfast Program. All school nutrition services made available under this authority shall be provided in accordance with federal guidelines established by the Food and Nutrition Service of the United States Department of Agriculture.

(b) ~~The~~ To the extent that funds are made available for the purpose, the State Board of Education shall allocate funds to school food authorities at public school units for the purpose of providing healthy lunches at no cost to students. In issuing the allocation, the Board shall do the following:

(1) Determine the amount to allocate to each school food authority based on an evaluation of the authority's nutrition services. The Board shall develop the method and criteria for the evaluation, which at a minimum shall account for the following:

- a. The size of the schools served by the school food authority as determined by Average Daily Membership.
- b. The number of students that are eligible for free or reduced-price lunch and the estimated receipts from the National School Lunch Program.
- c. The funds actually expended in the prior year, which may be waived if the school food authority was not in operation in the year prior.
- d. The extent to which the nutrition services promote health and wellness by providing food that is of high quality and nutrient content.
- e. The extent to which the school food authority uses locally sourced food and products.



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f. Any other information the Board deems relevant to the cost and operation of the nutrition services.

(2) Ensure the funds are distributed on a fair and equitable basis.

(3) Issue the allocation at the beginning of each fiscal year, except that the Board may reserve for future allocation a reasonable amount, not to exceed ten percent (10%) of the total funds available for providing nutrition services.

(c) The State Board of Education may adopt rules regulating the provision of school nutrition that impose additional restrictions that are not inconsistent with the federal guidelines.

(d) Funds allocated pursuant to this section shall supplement and not supplant any other funds from any other source provided for the same purpose."

SECTION 7.65.(b) G.S. 115C-264(a) reads as rewritten:

"(a) Local boards of education operating school nutrition programs shall participate in the federal National School Lunch Program ~~established by the federal government~~, and, if eligible, the Community Eligibility Provision Program. School nutrition programs shall be under the jurisdiction of the Division of School Nutrition of the Department of Public Instruction."

SECTION 7.65.(c) G.S. 115C-218.75 is amended by adding a new subsection to read:

"(p) A charter school shall provide school nutrition services in accordance with G.S. 115C-263 and G.S. 115C-264."

SECTION 7.65.(d) G.S. 115C-229.35(25), as enacted by section 7.55 of this act, reads as rewritten:

"(25) The board of ~~directors, to the extent practicable, directors~~ shall provide school ~~food-nutrition~~ services to the regional ~~school~~. school in accordance with G.S. 115C-263 and G.S. 115C-264. School food services may be provided by entering into an interlocal agreement with a local school administrative unit. For purposes of federal funding through the National School Lunch Program or other federally supported food service programs, a local school administrative unit that has entered into an interlocal agreement with the regional school for the purpose of providing school food services shall be permitted to include eligible students enrolled in the regional school."

SECTION 7.65.(e) G.S. 116-239.8(b)(4)c. reads as rewritten:

"c. ~~Food Nutrition Services~~. – The laboratory school shall strive to ensure that one hundred percent (100%) muscadine grape juice is made available to students as a part of the school's nutrition program or through the operation of the school's vending facilities. Laboratory schools shall provide school nutrition services in accordance with G.S. 115C-263 and G.S. 115C-264. Upon request, the local school administrative unit in which the laboratory school is located shall administer the National School Lunch Program for the laboratory ~~school in accordance with G.S. 115C-264~~ school."

SECTION 7.65.(f) Notwithstanding any provision of this act or the Committee Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to the Department of Public Instruction shall be increased by the sum of one hundred fifteen million

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dollars (\$115,000,000) in recurring funds for the 2025-2026 and 2026-2027 fiscal years to be allocated to public school units for universal free lunch as required by this section.

SECTION 7.65.(g) Notwithstanding any provision of this act or the Committee Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to the Department of Public Instruction shall be increased by the sum of three million one hundred sixty-six thousand dollars (\$3,166,600) in nonrecurring funds for the 2025-2026 fiscal year to satisfy any outstanding school nutrition program debt. Should this appropriation not be sufficient to satisfy all school nutrition program debt by the end of the 2025-2026 fiscal year, the State Board of Education shall use funds appropriated to State Aid for Public Schools for this purpose.

SECTION 7.65.(h) The State Board of Education is granted authority to adopt temporary rules to enact this section until permanent rules are adopted.";

and on page 222, lines 7-8, by inserting between the lines the following new section to read:

"REDUCE FUNDS FOR OPPORTUNITY SCHOLARSHIPS

SECTION 8A.15.(a) G.S. 115C-562.8 reads as rewritten:

"§ 115C-562.8. The Opportunity Scholarship Grant Fund Reserve.

...

(b) ~~The General Assembly finds that, due to the critical need in this State to provide opportunity for school choice for North Carolina students, it is imperative that the State provide an increase of funds for 15 years to the Opportunity Scholarship Grant Fund Reserve. Therefore,~~ There is appropriated from the General Fund to the Reserve the following amounts for each fiscal year to be used for the purposes set forth in this section:

Fiscal Year	Appropriation
...	
2027-2028	\$700,000,000 <u>\$585,000,000</u>
2028-2029	\$725,000,000 <u>\$610,000,000</u>
2029-2030	\$750,000,000 <u>\$635,000,000</u>
2030-2031	\$775,000,000 <u>\$660,000,000</u>
2031-2032	\$800,000,000 <u>\$685,000,000</u>

For the 2032-2033 fiscal year and each fiscal year thereafter, there is appropriated from the General Fund to the Reserve the sum of ~~eight hundred twenty-five million dollars (\$825,000,000)~~seven hundred ten million dollars (\$710,000,000) to be used for the purposes set forth in this section. When developing the base budget, as defined by G.S. 143C-1-1, for each fiscal year specified in this subsection, the Director of the Budget shall include the appropriated amount specified in this subsection for that fiscal year.

...."

SECTION 8A.15.(b) Notwithstanding any other provision of law or of the Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated to the Opportunity Scholarship Grant Fund Reserve for the award of opportunity scholarship grants pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes for each year of the 2025-2027 fiscal biennium are reduced as follows:

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- 1 (1) By the sum of one hundred fifteen million dollars (\$115,000,000) in recurring
2 funds for each year of the 2025-2027 fiscal biennium.
3 (2) By the sum of three million one hundred sixty-six thousand dollars
4 (\$3,166,600) in nonrecurring funds for the 2025-2026 fiscal year.
5 **SECTION 8A.15.(c)** This section applies beginning with the 2025-2026 school
6 year.";
7
8 and by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**