

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 966

Introduced by Cavanaugh, M., 6; Conrad, 46.

Read first time January 12, 2026

Committee: Education

1 A BILL FOR AN ACT relating to schools; to amend section 79-10,137,
2 Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free
3 Schools Act; to restate legislative findings and state legislative
4 intent; to eliminate provisions relating to reimbursement for school
5 breakfast programs; to provide powers and duties to the State
6 Department of Education and the State Board of Education; to repeal
7 the original section; and to outright repeal sections 79-10,138 and
8 79-10,139, Reissue Revised Statutes of Nebraska.
9 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 6 of this act shall be known and may be
2 cited as the Hunger-Free Schools Act.

3 **Sec. 2.** Section 79-10,137, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 ~~79-10,137~~ The Legislature finds that, for Nebraska to compete
6 effectively in the world, it must have an educated and productive work
7 force. In order to have an educated and productive work force, it must
8 prepare its children to learn, and in order to do so the children must be
9 well-nourished. The Legislature further finds that school breakfast and
10 lunch programs are integral parts of Nebraska's educational system and
11 that every student deserves access to healthy food during the school day.

12 **Sec. 3.** For purposes of the Hunger-Free Schools Act:

13 (1) Department means the State Department of Education;

14 (2) Eligible meal means a school breakfast or school lunch that is
15 both (a) served to a student who qualifies for reduced-price school meals
16 under United States Department of Agriculture child nutrition programs
17 and (b) served at no cost to such student;

18 (3) Federal reimbursement rate means the payment a school receives
19 for a school meal and is dependent on whether the school meal was a
20 breakfast or a lunch, whether or not the student qualifies for free or
21 reduced-price school meals, and the school year in which the school meal
22 is served, as published by the United States Department of Agriculture
23 pursuant to the federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et
24 seq., and the federal Richard B. Russell National School Lunch Act, 42
25 U.S.C. 1751 et seq., and regulations promulgated under such acts, as such
26 acts and regulations existed on January 1, 2026; and

27 (4) Qualified school means a public school or a nonprofit approved
28 or accredited private, denominational, or parochial school which is
29 participating in the school breakfast program or the national school
30 lunch program under the federal Child Nutrition Act of 1966, 42 U.S.C.
31 1771 et seq., or the federal Richard B. Russell National School Lunch

1 Act, 42 U.S.C. 1751 et seq., as such acts existed on January 1, 2026, and
2 which does not serve free meals to all students under the community
3 eligibility provision.

4 **Sec. 4.** The Hunger-Free Schools Program is created. To comply with
5 the Hunger-Free Schools Program, a qualified school shall:

6 (1) Serve eligible meals through any school breakfast program or
7 school lunch program operated by such school during the school day; and

8 (2) Submit information regarding the number of eligible meals served
9 in a manner prescribed by the department.

10 **Sec. 5.** The department shall annually reimburse each qualified
11 school a portion of the cost of each eligible meal served by such school
12 during the second preceding school fiscal year in an amount equal to the
13 difference between the federal reimbursement rate for a free meal and the
14 federal reimbursement rate for a reduced-price meal for each eligible
15 meal. The calculation of the reimbursement for each eligible meal shall
16 be based on the federal reimbursement rates for a school breakfast or a
17 school lunch as applicable to the eligible meal.

18 **Sec. 6.** (1) The State Board of Education may adopt and promulgate
19 rules and regulations to carry out the Hunger-Free Schools Act.

20 (2) It is the intent of the Legislature to appropriate money from
21 the General Fund to the State Department of Education to carry out the
22 Hunger-Free Schools Act.

23 **Sec. 7.** Original section 79-10,137, Reissue Revised Statutes of
24 Nebraska, is repealed.

25 **Sec. 8.** The following sections are outright repealed: Sections
26 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.