STATE OF NEW YORK

8508

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. CHANG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring excess, unused, edible food from meals served at educational facilities be donated to local voluntary food assistance programs

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 56 of section 305 of the education law, as added by chapter 316 of the laws of 2017, is renumbered subdivision 63 and is amended to read as follows:

63. The commissioner, in consultation and cooperation with the commissioner of agriculture and markets, [~~may~~] **shall** develop guidelines to [~~encourage~~] **mandate** school districts and institutions of higher education to donate excess, unused, edible food from meals served at such educational facilities to local voluntary food assistance programs including, but not limited to, community food pantries, soup kitchens, and other community and not-for-profit organizations that distribute food to the poor and disadvantaged. Such guidelines developed concerning donated food shall comply with all federal, state and local public health laws, rules and regulations that govern food safety and food donation.

Such guidelines may include, but not be limited to:

a. a procedure to provide information to school districts, institutions of higher education and local voluntary food assistance programs of the provisions of such guidelines;

b. notification to educational institutions of their ability to elect to donate excess, unused, edible food to local voluntary food assistance programs; and

c. information and technical assistance on how school districts and institutions of higher education may best donate excess food in a safe and sanitary manner.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets [-] is old law to be omitted.

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The commissioner shall coordinate the implementation of such guidelines with the farm-to-school program established pursuant to subdivision five-b of section sixteen of the agriculture and markets law.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule of regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.