STATE OF NEW YORK

1726

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sens. HOYLMAN, JACKSON, MYRIE, SAVINO, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to requiring public schools to offer plant-based food options in food service

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

Section 1. The education law is amended by adding a new section 915-a to read as follows:

§ 915-a. Plant-based food options. 1. Upon request by a student or person in parental relation to the student, every public school shall offer the student a plant-based food option as an alternative to every meal or snack offered in food service to the student. All the public school's written material describing food offerings shall include the availability of a plant-based food option. The plant-based food option shall be offered at no additional cost to the student beyond what would be charged for a comparable non-plant-based food option.

2. The school shall respond in a reasonable manner and time to any request made under this section, consistent with guidance by school authorities. The request shall be effective for every school meal or snack in which the student is reasonably expected to participate. This section does not preclude the offering of plant-based food options to students who have not requested it, and does not preclude an individual who has requested a plant-based food option from selecting a non-plant-based food option.

3. As used in this section:

(a) "Plant-based food option" means food or beverages that are free of animal products and, as relates to the "protein" portion of a meal, recognized by the United States Department of Agriculture as a meat alternate for purposes of the national school lunch program.

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

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(b) "Animal product" means meat, poultry, seafood, dairy, eggs, honey, and any derivative thereof.

4. In implementing this section, the school and school authorities shall consult with the school district nutrition advisory committee under section nine hundred eighteen of this article, where applicable.

§ 2. This act shall take effect immediately and shall apply to public school food service beginning with the school year, as defined in the education law, beginning one year after it shall have become a law.