

STATE OF NEW YORK

5057--B

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

Introduced by Sens. HINCHEY, BORRELLO, WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 537 of the laws of 1976 relating to paid, free and reduced price breakfast for eligible pupils in certain school districts, in relation to increasing the state subsidy for school lunch meals

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

1 Section 1. This act shall be known and may be cited as the "healthy
2 schools, healthy students act".
3 § 2. Subdivisions b and c of section 5 of chapter 537 of the laws of
4 1976 relating to paid, free and reduced price breakfast for eligible
5 pupils in certain school districts, subdivision b as amended by section
6 32-a of part A of chapter 56 of the laws of 2024 and subdivision c as
7 amended by section 22-b of part A of chapter 56 of the laws of 2022, are
8 amended and a new subdivision b-1 is added to read as follows:
9 b. Notwithstanding any monetary limitations with respect to school
10 lunch programs contained in any law or regulation, for school lunch
11 meals served in the school year commencing July 1, [2022] 2028 and each
12 July 1 thereafter, a school food authority shall be eligible for a State
13 subsidy equal to [~~\$0.1901~~] \$0.30 per [~~free and paid school lunch meal,~~
14 ~~and \$0.0519 per reduced price~~] lunch meal, for any school lunch meal
15 served by such school food authority; provided that the school food
16 authority certifies to the Department of Agriculture and Markets through
17 the application submitted pursuant to subdivision c of this section that
18 such food authority has purchased at least thirty percent of its total

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

LBD09089-04-6

1 cost of food products for its school breakfast service, lunch service,
2 and reimbursable snack program from New York state farmers, growers,
3 producers or processors in the preceding school year. Payments pursuant
4 to this subdivision shall be separate from and shall not supplant or
5 offset any other state or federal reimbursement, aid, grant, or payment
6 for school meals or child nutrition programs, including but not limited
7 to the state reimbursement amount for school lunch meals.

8 b-1. The per school lunch meal subsidy amount set forth in subdivision
9 b of this section shall be increased annually by one and one-half
10 percent over the prior school year's applicable amount. The commissioner
11 of agriculture and markets shall publish the adjusted per-meal amount on
12 or before July first of each such school year.

13 c. The Department of Agriculture and Markets in cooperation with the
14 State Education Department, shall develop an application for school food
15 authorities to seek an additional State subsidy pursuant to this section
16 in a timeline and format prescribed by the commissioner of agriculture
17 and markets. Such application shall include, but not be limited to,
18 documentation demonstrating the school food authority's total food
19 purchases for its school breakfast service, lunch service, and reimburs-
20 able snack program, and documentation demonstrating its total food
21 purchases and percentages for such ~~[program]~~ programs permitted to be
22 counted under this section from New York State farmers, growers, produc-
23 ers or processors in the preceding school year. The application shall
24 also include an attestation from the school food authority's chief oper-
25 ating officer that it purchased at least thirty percent of its total
26 cost of food products permitted to be counted under this section for its
27 school breakfast service, lunch service, and reimbursable snack program
28 from New York State farmers, growers, producers or processors in the
29 preceding school year in order to meet the requirements for this addi-
30 tional State subsidy. School food authorities shall be required to annu-
31 ally apply for this subsidy. After reviewing school food authorities'
32 completed applications for an additional State subsidy pursuant to this
33 section, the Department of Agriculture and Markets shall certify to the
34 State Education Department the school food authorities approved for such
35 additional State subsidy and the State Education Department shall pay
36 such additional State subsidy to such school food authorities.

37 § 3. This act shall take effect July 1, 2028.