



Senate Fiscal Agency
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Senate Bill 139 (Substitute S-1 as reported)
Sponsor: Senator Patrick J. Colbeck
Committee: Education

CONTENT

The bill would amend the Revised School Code to require the Department of Education to take all steps necessary to ensure maximum State and local control over the implementation of school meal programs established under Section 1272a of the Code, including establishing an upper limit on the number and frequency of fund-raising activities that could take place in a public school during school hours that would allow the sale of food or beverage items that did not meet nutritional standards prescribed by the United States Department of Agriculture (USDA). The upper limit could not be less than three fund-raising activities per week. For this purpose, an ongoing fund-raising activity that was scheduled to take place at more than one time during a school day, throughout the school day, or for more than one school day would be considered a single fund-raising activity.

(Section 1272a requires the board of a K to 12 school district to establish school breakfast and lunch programs for all full-time pupils enrolled and in regular daily attendance at each school in the district. Under Section 1272b, those programs must meet certain nutritional standards prescribed by the USDA, in addition to other requirements.)

The bill would take effect 90 days after it was enacted.

MCL 380.1272b

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have a small negative impact on the Department of Education. The current nutrition guidelines do not allow schools to have fund-raisers that sell food during school hours if the food does not meet nutrition standards. If the food will not be consumed at school, however, or if it is sold during non-school hours, Federal standards give state agencies the flexibility to choose how many fund-raising events can be held to sell food that does not meet nutrition standards. To comply with the bill, the Department simply would need to modify the school fund-raising section of the nutrition guideline. The costs would be minimal and the Department would not require additional funds in order to implement the amended standards.

The bill could have a positive impact on schools that raise funds by selling food during school hours, as they would be allowed to sell food that does not meet nutrition standards. This impact would be minimal, since these types of fund-raising activities do not generate a large amount of revenue for schools; however, they are used to supplement extracurricular programs and activities.

Date Completed: 3-11-15

Fiscal Analyst: Cory Savino