

REFERENCE TITLE: lunch debt; grant program; schools

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2352

Introduced by
Representatives Contreras P: Aguilar, Austin, Cano, Gutierrez, Ortiz,
Sandoval, Schwiebert, Seaman, Stahl Hamilton, Sun, Terech, Travers

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-242.01; APPROPRIATING MONIES; RELATING TO THE DEPARTMENT
OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 2, article 2, Arizona Revised
3 Statutes, is amended by adding section 15-242.01, to read:

4 15-242.01. No lunch debt grant program; fund; exemption;
5 definition

6 A. THE NO LUNCH DEBT GRANT PROGRAM IS ESTABLISHED TO RELIEVE PUBLIC
7 SCHOOL STUDENTS OF LUNCH DEBT. THE DEPARTMENT OF EDUCATION SHALL
8 ADMINISTER THE PROGRAM AND ADOPT RULES TO IMPLEMENT THIS SECTION,
9 INCLUDING GRANT APPLICATION REQUIREMENTS AND PROCEDURES FOR ELECTRONIC
10 SUBMISSION OF GRANT APPLICATIONS.

11 B. EACH FISCAL QUARTER, A SCHOOL DISTRICT OR CHARTER SCHOOL THAT
12 PARTICIPATES IN THE NATIONAL SCHOOL LUNCH PROGRAM (42 UNITED STATES CODE
13 SECTIONS 1751 THROUGH 1793) MAY APPLY TO THE DEPARTMENT OF EDUCATION FOR A
14 GRANT THAT DOES NOT EXCEED THE AGGREGATE AMOUNT OF STUDENT LUNCH DEBT THAT
15 HAS ACCRUED AT THE TIME OF THE GRANT APPLICATION.

16 C. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL CREDIT GRANT MONIES
17 RECEIVED PURSUANT TO THIS SECTION TO THE MEAL ACCOUNT OF EACH STUDENT WHO
18 INCURRED THE LUNCH DEBT THAT SUPPORTS THE SCHOOL DISTRICT'S OR CHARTER
19 SCHOOL'S GRANT APPLICATION. DISCHARGED LUNCH DEBT DOES NOT CONSTITUTE
20 TAXABLE INCOME TO THE PARENT OF A STUDENT WHOSE MEAL ACCOUNT IS CREDITED
21 PURSUANT TO THIS SUBSECTION.

22 D. NOTWITHSTANDING SECTION 15-1154, A SCHOOL DISTRICT IS NOT
23 REQUIRED TO DEPOSIT GRANT MONIES RECEIVED PURSUANT TO THIS SECTION IN THE
24 SCHOOL DISTRICT'S SCHOOL MEAL PROGRAM FUND.

25 E. THE NO LUNCH DEBT FUND IS ESTABLISHED CONSISTING OF MONIES
26 APPROPRIATED BY THE LEGISLATURE AND GRANTS, GIFTS, DEVICES AND DONATIONS
27 FROM ANY PUBLIC OR PRIVATE SOURCE. THE DEPARTMENT OF EDUCATION SHALL
28 ADMINISTER THE FUND. THE DEPARTMENT MAY ACCEPT AND SPEND FEDERAL MONIES
29 AND PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVICES TO ASSIST IN CARRYING
30 OUT THE PURPOSES OF THIS SECTION. MONIES IN THE FUND ARE CONTINUOUSLY
31 APPROPRIATED AND EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO
32 LAPSING OF APPROPRIATIONS.

33 F. FOR THE PURPOSES OF THIS SECTION, "LUNCH DEBT" MEANS ANY MONIES
34 THAT ARE:

35 1. CHARGED TO A STUDENT IN CONNECTION WITH THE SALE OF SCHOOL
36 LUNCHES, INCLUDING FEES CHARGED PURSUANT TO SECTION 15-1154.

37 2. OVERDUE IN ACCORDANCE WITH THE SCHOOL DISTRICT'S OR CHARTER
38 SCHOOL'S REGULAR BILLING PRACTICES.

39 Sec. 2. Appropriation; no lunch debt fund; exemption

40 A. The sum of \$2,000,000 is appropriated from the state general
41 fund in fiscal year 2023-2024 to the no lunch debt fund established by
42 section 15-242.01, Arizona Revised Statutes, as added by this act.

43 B. The appropriation made in subsection A of this section is exempt
44 from the provisions of section 35-190, Arizona Revised Statutes, relating
45 to lapsing of appropriations.