

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1621 Session of  
1993

INTRODUCED BY COWELL, ITKIN, BATTISTO, HALUSKA, DALEY, ROBINSON,  
GEORGE, STISH, COLAIZZO, MELIO, BLAUM, STURLA, CAPPABIANCA,  
BELFANTI, KUKOVICH, FREEMAN, GIGLIOTTI, LEVDANSKY, McCALL,  
MIHALICH, PISTELLA, TRELLO, MICHLOVIC, COY, LAUGHLIN,  
STEELMAN, JOSEPHS, DeLUCA, PRESTON, HUGHES, ROONEY, MURPHY,  
PETRONE AND McNALLY, MAY 24, 1993

REFERRED TO COMMITTEE ON EDUCATION, MAY 24, 1993

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," providing for a nonprofit school  
6 breakfast program.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1337.1. Nonprofit School Breakfast Program.--(a)  
13 For the 1993-1994 school year and each year thereafter, each  
14 school district in this Commonwealth shall make the benefits of  
15 the national school breakfast program provided by the Child  
16 Nutrition Act of 1966 (Public Law 89-642, 42 U.S.C. § 1771 et  
17 seq.) available to all students at all grade levels.

18 (b) An individual school may apply to the Department of

1 Education for a one-time waiver from the requirements of  
2 subsection (a). The Secretary of Education shall give notice and  
3 an opportunity to be heard to the parents and the school. The  
4 Secretary of Education shall not grant a waiver unless the  
5 school demonstrates special circumstances that would prevent  
6 implementation of a school breakfast program.

7 (c) The requirements of subsection (a) shall not apply when  
8 Federal financial appropriations for school breakfast programs  
9 are terminated. Nothing in this section shall prohibit a school  
10 district from initiating or continuing school breakfast programs  
11 at its own expense.

12 (d) As used in this section, the term "school breakfast  
13 program" means a program under which breakfast food is served by  
14 a school on a nonprofit basis to children in attendance,  
15 including any such program under which a school receives  
16 assistance out of funds appropriated by the Congress of the  
17 United States.

18 Section 2. On or before October 15 of each year, the  
19 Department of Education shall submit a report on the previous  
20 school year's school breakfast program to the General Assembly.  
21 The report shall include the department's findings and  
22 recommendations.

23 Section 3. The provisions of this act shall be implemented  
24 within six months of the effective date of this act.

25 Section 4. This act shall take effect immediately.