

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 159**      Session of  
2007

INTRODUCED BY RHOADES, MUSTO, TOMLINSON, LAVALLE, WONDERLING,  
FONTANA, BOSCOLA, RAFFERTY, GORDNER, STACK, PUNT, MADIGAN,  
KASUNIC, COSTA, WASHINGTON, C. WILLIAMS, KITCHEN, STOUT,  
WOZNIAK, LOGAN, PIPPY, O'PAKE, WAUGH, D. WHITE, GREENLEAF,  
TARTAGLIONE AND BRUBAKER, MARCH 6, 2007

REFERRED TO EDUCATION, MARCH 6, 2007

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," further providing for school lunch  
6 and breakfast reimbursement.

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

9 Section 1. Section 1337.1 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, added  
11 May 10, 2000 (P.L.44, No.16), is amended to read:

12 Section 1337.1. School Lunch and Breakfast Reimbursement.--

13 (a) Schools that participate in the school lunch program shall  
14 be reimbursed in the following manner:

15 (1) [Subject] (i) For the school years 2000-2001 through  
16 2006-2007, subject to future adjustments under clause (2),  
17 each school which offers the school lunch program shall  
18 receive a reimbursement of no less than ten cents (10¢) per

1 lunch served, exclusive of any reimbursements under  
2 subsection (c).

3 (ii) For the 2007-2008 school year and each school year  
4 thereafter, subject to future adjustments under clause (2), each  
5 school which offers the school lunch program shall receive a  
6 reimbursement of no less than twelve cents (12¢) per lunch  
7 served, exclusive of any reimbursements under subsection (c).

8 (2) For the 2000-2001 school year and each school year  
9 thereafter, reimbursements for the school lunch program shall be  
10 fixed by regulation of the Department of Education: Provided,  
11 That such reimbursements shall be no less than the applicable  
12 amounts per lunch served established by clause (1).

13 (b) Schools that participate in the school breakfast program  
14 shall be reimbursed in the following manner:

15 (1) [Subject] (i) For the school years 2000-2001 through  
16 2006-2007, subject to future adjustments under clause (2), each  
17 school which offers the school breakfast program shall receive a  
18 reimbursement of no less than ten cents (10¢) per breakfast  
19 served.

20 (ii) For the 2007-2008 school year and each school year  
21 thereafter, subject to future adjustments under clause (2), each  
22 school which offers the school breakfast program shall receive a  
23 reimbursement of no less than eleven cents (11¢) per breakfast  
24 served.

25 (2) For the 2000-2001 school year and each school year  
26 thereafter, reimbursements for the school breakfast program  
27 shall be fixed by regulation of the Department of Education:  
28 Provided, That such reimbursements shall be no less than the  
29 applicable amounts per breakfast served established by clause  
30 (1).

1 (c) Schools that participate in both the school lunch  
2 program and the school breakfast program shall be provided with  
3 the following incentive reimbursements:

4 (1) Subject to future adjustments under clause (3), each  
5 school which offers both a school lunch program under subsection  
6 (a) and a school breakfast program under subsection (b) which  
7 serves less than or equal to twenty per centum (20%) of its  
8 student enrollment shall receive an additional reimbursement of  
9 two cents (2¢) per lunch served.

10 (2) Subject to future adjustments under clause (3), each  
11 school which offers a school lunch program under subsection (a)  
12 and a school breakfast program under subsection (b) which serves  
13 more than twenty per centum (20%) of its student enrollment  
14 shall receive an additional reimbursement of four cents (4¢) per  
15 lunch served.

16 (3) For the 2000-2001 school year and each school year  
17 thereafter, reimbursements for the school breakfast incentive  
18 program shall be fixed by regulation of the Department of  
19 Education: Provided, That such reimbursement shall be no less  
20 than the amounts per lunch served established by clauses (1) and  
21 (2).

22 (d) For the purposes of this section, the following terms  
23 shall have the following meanings:

24 "School" shall have the same meaning as given to that term in  
25 7 CFR 210.2 (relating to definitions).

26 "School lunch program" shall have the same meaning as given  
27 to [that term] the term "National School Lunch Program" in 7 CFR  
28 210.2 (relating to definitions).

29 "School breakfast program" shall [have the same meaning as  
30 given to that term in 7 CFR 210.2 (relating to definitions).]

1 mean the School Breakfast Program under 7 CFR Part 220 (relating  
2 to the School Breakfast Program).

3 Section 2. This act shall take effect in 60 days.