



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2397

PRINTERS NO. 2843

PRIME SPONSOR: Lawrence

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	\$0

SUMMARY: House Bill 2397 creates a freestanding act to be known as the Whole Milk in Pennsylvania Schools Act. It would take effect in 30 days.

ANALYSIS: House Bill 2397 allows the school board or other governing entity of a Pennsylvania school to utilize funds from State or local sources to obtain whole or reduced fat Pennsylvania milk to provide or sell at the school. Pennsylvania milk that is offered for sale to a Pennsylvania school is deemed to be in the stream of intrastate commerce. The Secretary of Education must notify the superintendent or chief administrator of each Pennsylvania school of the provisions of this act. The Department of Education, in consultation with the Department of Agriculture and the Milk Marketing Board, must also, within two years, issue a report to the General Assembly detailing the number of schools electing to provide or sell Pennsylvania milk, the approximate increase or decrease in the consumption of milk at the schools, and actions taken by the Commonwealth to promote the availability of whole and reduced fat milk. The Attorney General is required to bring a civil action against the federal government to recover funds if any are withheld from schools acting under this law.

The bill defines "Pennsylvania School" as any school district, cyber charter school, charter school, regional charter school, area career and technical school or intermediate unit in Pennsylvania.

This act will expire if amendments to or repeals of federal laws result in the availability of whole or reduced fat milk in Pennsylvania schools.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds. It is assumed the Department of Education, the Office of the Attorney General, the Department of Agriculture, and the Milk Marketing Board will be able to absorb any additional duties within currently available resources.

This legislation does not require schools to provide whole or reduced fat milk, so it does not impose any costs or loss of revenue on schools.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: April 13, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.