

Act No. 42
Public Acts of 2015
Approved by the Governor
June 3, 2015
Filed with the Secretary of State
June 3, 2015
EFFECTIVE DATE: September 1, 2015

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2015**

Introduced by Senators Colbeck, Jones, Nofs, Horn, Shirkey, Kowall, Emmons, Marleau, Booher, Robertson, O'Brien, Green, Proos, MacGregor, Pavlov, Stamas, Knollenberg, Zorn, Hildenbrand and Brandenburg

ENROLLED SENATE BILL No. 139

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1272b (MCL 380.1272b).

The People of the State of Michigan enact:

Sec. 1272b. (1) In all school meal programs established and operated under section 1272a, all of the following apply:

(a) Subject to subsection (2), nutritional standards prescribed by the United States Department of Agriculture pursuant to section 9 of the national school lunch act, 42 USC 1758, shall be met and maintained.

(b) The board of a school district or board of directors of a public school academy may charge a fee for meals or milk, but the fee shall not exceed the actual average daily cost, including necessary supervision, of the meal or milk and accessories, less the amount of food and financial assistance received by the board or board of directors for the meal or milk.

(c) The board of a school district or board of directors of a public school academy shall provide free and reduced price meals and free milk to all pupils eligible under the maximum standards prescribed by the United States Department of Agriculture pursuant to section 9 of the national school lunch act, 42 USC 1758; shall ensure the confidentiality of all information contained in applications for eligibility; and shall further ensure that eligible pupils are not discriminated against or overtly identified in any manner.

(d) The board of a school district or board of directors of a public school academy shall provide for parent and pupil participation in the planning and evaluation of school meals and other foods sold or dispensed on school premises.

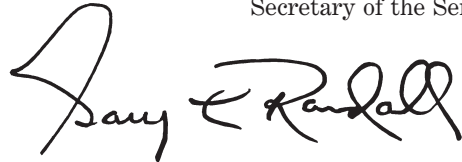
(2) In all school meal programs established and operated under section 1272a, the department shall take all steps necessary to ensure maximum state and local control over the implementation of the programs, including, but not limited to, establishing an upper limit on the number and frequency of fund-raising activities that may take place in a public school during school hours that allow the sale of food or beverage items that do not meet the nutritional standards. The department shall ensure that this upper limit is not less than 2 fund-raising activities per week. For the purposes of this upper limit, an ongoing fund-raising activity that is scheduled to take place at more than 1 time during a school day or throughout the school day shall be considered to be a single fund-raising activity.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor