



ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

House: ED DP 9-3-0-0 | APPROP DPA 16-2-0-0

HB 2213: appropriation; free school meals
Sponsor: Representative Gutierrez, LD 18
House Engrossed

Overview

Prohibits a public school from serving, selling or allowing a third party to sell ultraprocessed food on the school campus during the normal school day. Appropriates \$3,800,000 from the state General Fund (GF) in FY 2026 for free school lunches.

History

School Minimum Nutrition Standards

The Arizona Department of Education (ADE) must develop minimum nutrition standards that meet at least federal guidelines and regulations for foods and beverages sold or served on elementary, middle or junior high school grounds during the normal school day. ADE may develop nutrition standards that: 1) include portion sizes, minimum nutrient values and a listing of contents; and 2) are more stringent than the federal guidelines and regulations.

Food and beverages sold or served on school grounds of elementary, middle and junior high schools or at school-sponsored events during the normal school day must meet the ADE-developed minimum nutrition standards, including a la carte items in the food service program and food and beverages sold in vending machines, snack bars and meal-period kiosks and at school stores. Parents, students and community members may review food and beverage contracts to ensure that food and beverages sold on campuses provide nutritious sustenance to students, promote good health, help students learn, provide energy and model fit living for life ([A.R.S. § 15-242](#)).

Schools participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) must follow federally set meal patterns that outline weekly meal components, amounts of food and dietary specifications ([NSLP Meal Pattern](#)) ([SBP Meal Pattern](#)).

Free and Reduced-Price Lunches (FRPL)

The NSLP is a federally assisted meal program that operates in public schools, nonprofit private schools and residential childcare institutions. The NSLP provides nutritionally balanced, low-cost or free lunches to children. ADE receives federal funds from the U.S. Department of Agriculture (USDA), then reimburses local educational agencies participating in the NSLP for the costs of providing FRPL ([USDA](#), [ADE](#)). Eligibility for FRPL is determined according to a student's household size and income ([Income Eligibility Guidelines](#)). Currently, federal law prohibits a child from being charged more than 40 cents for a reduced-price lunch ([42 U.S.C. § 1758](#)).

The [FY 2025 General Appropriations Act](#) appropriated \$3,800,000 for onetime school meal grants. ADE must distribute these monies to school districts and charter schools

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participating in the NSLP or School Breakfast Program for grants to reduce or eliminate copayments that would otherwise be charged to children who are eligible for reduced-price meals ([FY 2025 Appropriations Report](#)).

Provisions

Prohibition on Ultraprocessed Food

1. Prohibits a public school from serving, selling or allowing a third party to sell ultraprocessed food on the school campus during the normal school day. (Sec. 1)
2. Specifies a guardian is not prevented from providing their student ultraprocessed food during the normal school day. (Sec. 1)
3. Requires ADE to post on its website:
 - a) a standardized form that a public school may use to certify that it is complying with the prohibition on ultraprocessed food; and
 - b) a list of each public school that has certified to ADE that it is complying with the prohibition on ultraprocessed food. (Sec. 1)
4. Defines *ultraprocessed food* as a food or beverage that contains one or more of the following ingredients:
 - a) potassium bromate;
 - b) propylparaben;
 - d) titanium dioxide;
 - c) brominated vegetable oil;
 - d) yellow dye 5 or 6;
 - e) blue dye 1 or 2;
 - f) green dye 3; or
 - g) red dye 3 or 40. (Sec. 1)

Free School Lunches Appropriation

1. Appropriates \$3,800,000 from the state GF in FY 2026 to ADE to provide free school lunches for children who meet the federal eligibility requirements for FRPL. (Sec. 2)
2. Declares the Legislature intends the appropriation to be considered ongoing funding in future years. (Sec. 2)