

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Senate Committee on Government Efficiency  
From: Office of Revisor of Statutes  
Date: January 26, 2026  
Subject: SB 387—Verifying the Gross Household Income of Applicants for the National School Lunch Program and Requiring Legislative Approval for Schools Seeking Authorization to Participate in the Community Eligibility Provision

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Senate Bill 387 would require school districts to verify the household gross earned income of each student who qualifies for free meals under the national school lunch program and require legislative authorization to receive special assistance payments under the community eligibility provision of federal law.

Subsection (a) of SB 387 would require school districts to verify the eligibility of each student enrolled in and attending a school of such school district who qualified for free meals under the national school lunch program by submitting a national school lunch program application. Eligibility would be verified based on written evidence of the applicant's household gross earned income. This would not apply to students who qualified for free meals under the national school lunch program by direct certification.<sup>1</sup>

Subsection (b) would provide that on and after July 1, 2026, no school, school district or local education agency may seek or implement authorization from the federal government to participate in the community eligibility provision unless the legislature expressly consents to and approves of

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<sup>1</sup> Direct certification means a student is eligible for the program by virtue of participating in other public assistance programs or by being designated as "other source categorical eligible."

such authorization by an act of the legislature.<sup>2</sup> When the legislature is not in session, such school, school district or local education agency may notify the legislative coordinating council (LCC) of the intention to seek or implement authorization to participate in the community eligibility provision. The LCC would then meet within 14 calendar days to approve or deny such request or refer such request to a legislative committee for review and recommendation.

SB 387 would take effect on July 1, 2026, upon publication in the statute book.

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<sup>2</sup> The community eligibility provision is a non-pricing meal service option for schools and school districts in low-income areas that allows such schools and districts to serve breakfast and lunch at no cost to all enrolled students without collecting household applications. Schools that adopt the community eligibility provision are reimbursed using a formula based on the percentage of students categorically eligible for free meals based on their participation in other specific means-tested programs, such as the supplemental nutrition assistance program (SNAP) and temporary assistance for needy families (TANF).