

HOUSE BILL 704

F1

6lr1402
CF 6lr1403

By: **Delegates Palakovich Carr, Shetty, Acevero, Allen, Amprey, Bartlett, Behler, Boaf, Charkoudian, Crutchfield, Cullison, Ebersole, Fair, Feldmark, Foley, Forbes, Guyton, Guzzone, Hill, D. Jones, Kaiser, Kaufman, Kerr, Lehman, Lewis, J. Long, Lopez, McCaskill, Moreno, Pasteur, Pruski, Queen, Rogers, Ruff, Ruth, Simpson, Smith, Solomon, Spiegel, Stein, Stewart, Stinnett, Taveras, Terrasa, Vogel, Wells, White Holland, Williams, Wims, Wolek, Woorman, Wu, Young, and Ziegler**

Introduced and read first time: February 2, 2026

Assigned to: Ways and Means and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Community Eligibility Provision Expansion Program – Establishment**

3 FOR the purpose of establishing the Community Eligibility Provision Expansion Program
4 in the State Department of Education to provide funding to eligible schools that
5 participate in the federal community eligibility provision of the child nutrition
6 programs; and generally relating to the Community Eligibility Provision Expansion
7 Program.

8 BY adding to
9 Article – Education
10 Section 7–606
11 Annotated Code of Maryland
12 (2025 Replacement Volume and 2025 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Education**

16 **7–606.**

17 **(A) IN THIS SECTION, “PROGRAM” MEANS THE COMMUNITY ELIGIBILITY**
18 **PROVISION EXPANSION PROGRAM.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THERE IS A COMMUNITY ELIGIBILITY PROVISION EXPANSION**
2 **PROGRAM IN THE DEPARTMENT.**

3 **(C) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.**

4 **(D) (1) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDING IN**
5 **ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION TO ELIGIBLE SCHOOLS**
6 **THAT PARTICIPATE IN THE FEDERAL COMMUNITY ELIGIBILITY PROVISION OF THE**
7 **CHILD NUTRITION PROGRAMS.**

8 **(2) THE STATE SHALL PAY THE DIFFERENCE BETWEEN THE**
9 **APPLICABLE FEDERAL PAID REIMBURSEMENT RATE AND THE FEDERAL FREE**
10 **REIMBURSEMENT RATE, AS SET ANNUALLY BY THE U.S. SECRETARY OF**
11 **AGRICULTURE UNDER 42 U.S.C. § 1759A.**

12 **(3) THE FUNDING PROVIDED UNDER THE PROGRAM IS INTENDED TO**
13 **COMPLEMENT AND NOT REPLACE FEDERAL FUNDS RECEIVED UNDER THE**
14 **COMMUNITY ELIGIBILITY PROVISION OF THE CHILD NUTRITION PROGRAMS.**

15 **(E) THE DEPARTMENT SHALL:**

16 **(1) DEVELOP A PROCESS FOR COUNTY BOARDS TO PARTICIPATE IN**
17 **THE PROGRAM BASED ON FUNDING AVAILABILITY;**

18 **(2) ENSURE THAT PROGRAM FUNDING IS DISTRIBUTED BASED ON**
19 **THE CONCENTRATION OF POVERTY IN PUBLIC SCHOOLS WITHIN THE JURISDICTION**
20 **OF EACH COUNTY BOARD;**

21 **(3) CONSIDER GEOGRAPHIC DIVERSITY IN DETERMINING FUNDING**
22 **PRIORITIZATION; AND**

23 **(4) DISTRIBUTE FUNDS TO ELIGIBLE COUNTY BOARDS.**

24 **(F) FOR FISCAL YEAR 2028 AND EACH FISCAL YEAR THEREAFTER, THE**
25 **GOVERNOR SHALL INCLUDE AN APPROPRIATION OF \$10,000,000 IN THE ANNUAL**
26 **BUDGET BILL FOR THE PROGRAM.**

27 **(G) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE, EACH**
28 **COUNTY BOARD, AND PARTICIPATING NONPUBLIC SCHOOLS MAXIMIZE THE USE OF**
29 **ALL AVAILABLE FEDERAL AND STATE FUNDS IN CARRYING OUT THE REQUIREMENTS**
30 **OF THE PROGRAM.**

31 **(H) (1) ON OR BEFORE JULY 1, 2027, AND EACH JULY 1 THEREAFTER,**

1 THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE
2 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE PROGRAM.

3 (2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL
4 INCLUDE THE FOLLOWING INFORMATION FROM EACH LOCAL SCHOOL SYSTEM:

5 (I) THE OUTCOMES OF THE PROGRAM; AND

6 (II) THE AMOUNT OF SCHOOL MEAL DEBT INCURRED BY
7 STUDENTS, DISAGGREGATED BY THE INDIVIDUAL SCHOOL, AND HOW THE LOCAL
8 SCHOOL SYSTEM RESOLVED THE DEBT.

9 (3) IF ANY SCHOOLS WITHIN A LOCAL SCHOOL SYSTEM ARE ELIGIBLE
10 TO PARTICIPATE IN THE FEDERAL COMMUNITY ELIGIBILITY PROVISION OF THE
11 CHILD NUTRITION PROGRAMS DUE TO AN IDENTIFIED STUDENT PERCENTAGE OF
12 25% OR GREATER, BUT ELECT NOT TO PARTICIPATE, THE LOCAL SCHOOL SYSTEM
13 SHALL INCLUDE THE FOLLOWING INFORMATION IN THE REPORT REQUIRED UNDER
14 THIS SUBSECTION:

15 (I) THE REASONS THE SCHOOL ELECTED NOT TO PARTICIPATE
16 IN THE FEDERAL COMMUNITY ELIGIBILITY PROVISION OF THE CHILD NUTRITION
17 PROGRAMS;

18 (II) AN ESTIMATE OF THE NET COST OR SAVINGS TO THE
19 SCHOOL IF THE SCHOOL HAD ELECTED TO PARTICIPATE IN THE FEDERAL
20 COMMUNITY ELIGIBILITY PROVISION OF THE CHILD NUTRITION PROGRAMS;

21 (III) THE PROJECTED COST OF OPERATING THE FEDERAL
22 COMMUNITY ELIGIBILITY PROVISION OF THE CHILD NUTRITION PROGRAMS IN THE
23 SCHOOL; AND

24 (IV) THE ANTICIPATED AMOUNT OF FEDERAL
25 REIMBURSEMENTS ASSOCIATED WITH PARTICIPATION IN THE FEDERAL
26 COMMUNITY ELIGIBILITY PROVISION OF THE CHILD NUTRITION PROGRAMS.

27 (4) THE DEPARTMENT SHALL PUBLISH THE REPORT REQUIRED
28 UNDER THIS SUBSECTION ON ITS WEBSITE IN A SEARCHABLE AND DOWNLOADABLE
29 FORMAT, DISAGGREGATED BY LOCAL SCHOOL SYSTEM AND INDIVIDUAL SCHOOL.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2026.