

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by by changing
Section 2-3.189 as follows:

(105 ILCS 5/2-3.189)

Sec. 2-3.189. School unused food sharing plan.

(a) School districts shall incorporate a food sharing plan for unused food into their local wellness policy under Section 2-3.139. The food sharing plan shall focus on needy students, with the plan being developed and supported jointly by the district's local health department. Participants in the child nutrition programs, the National School Lunch Program and National School Breakfast Program, the Child and Adult Care Food Program (CACFP), and the Summer Food Service Program (SFSP) shall adhere to the provisions of the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program, to ensure that any leftover food items are properly donated in order to combat potential food insecurity in their communities. For the purpose of this Section, "properly" means in accordance with all federal regulations and State and local health and sanitation codes.

(b) As used in this subsection (b):

"Child nutrition program" means a federally reimbursable meal program administered by the United States Department of Agriculture, including, but not limited to, the National School Lunch Program, the School Breakfast Program, and the Summer Food Service Program.

"Share table" means a designated table, cart, bin, or similar area within a school's food service area where a student may place whole, unopened food or beverage items the student chooses not to consume for another student to take at no cost.

A school district may comply with subsection (a) by implementing a share table. The school district may develop and follow a policy on standard operating procedures for share tables. This policy may reference the State Board of Education's School Nutrition Programs Administrative Handbook or the United States Department of Agriculture's Guidance on the Food Donation Program in Child Nutrition Programs for share table operations.

(Source: P.A. 102-359, eff. 8-13-21; 102-813, eff. 5-13-22.)

Section 99. Effective date. This Act takes effect August 1, 2027.