

1 AN ACT concerning education.

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

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

6 (105 ILCS 5/2-3.189)

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

8 (a) School districts shall incorporate a food sharing plan  
9 for unused food into their local wellness policy under Section  
10 2-3.139. The food sharing plan shall focus on needy students,  
11 with the plan being developed and supported jointly by the  
12 district's local health department. Participants in the child  
13 nutrition programs, the National School Lunch Program and  
14 National School Breakfast Program, the Child and Adult Care  
15 Food Program (CACFP), and the Summer Food Service Program  
16 (SFSP) shall adhere to the provisions of the Richard B.  
17 Russell National School Lunch Act, as well as accompanying  
18 guidance from the U.S. Department of Agriculture on the Food  
19 Donation Program, to ensure that any leftover food items are  
20 properly donated in order to combat potential food insecurity  
21 in their communities. For the purpose of this Section,  
22 "properly" means in accordance with all federal regulations  
23 and State and local health and sanitation codes.

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

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

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

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

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

21           Section 99. Effective date. This Act takes effect August  
22           1, 2027.