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STATE POLICY OPTIONS FOR FOOD ACCESS



Introduction

Food insecurity remains an increasingly pressing issue in the U.S., with over a quarter of U.S. households unable to afford enough food to feed their children. Those numbers are on the rise according to the United States Department of Agriculture (USDA), which found that childhood rates of food insecurity increased significantly between 2021 and 2022. While food insecurity can negatively affect all individuals, children are especially vulnerable with potential short- and long-term effects on their birth outcomes, cognitive ability, physical health, emotional well-being, and even economic outcomes as adults.[3]



States can alter this potential negative trajectory for millions of children by establishing and funding policies that support nutrition security for maternal child health (MCH) populations. By building on federal programs like The School Breakfast Program and the National School Lunch Program or establishing standalone initiatives, states can use the power of policy to help children and pregnant women access nutritious food.



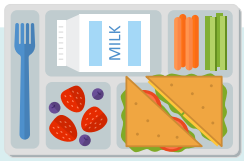
This section discusses state-level policy options to support nutrition security for MCH populations, highlighting examples of policies states have enacted or considered:

1. **School Meals**
2. **Farm-to-School Initiatives**
3. **Establishing Grocery Stores in Low-Access Food Areas**
4. **Supporting Food Shelves and Food Banks**
5. **Eliminating or Reducing Taxes on Grocery Food Purchases**

The policies highlighted are meant to provide a sample of initiatives states can implement to foster nutrition security for MCH populations. These policies can be used in combination to build a network of support to help bridge nutrition gaps for growing families.

School Meals

School meals play a crucial role in ensuring nutrition security for school-aged children.[4] In addition to providing a nutritious meal, school meals have been shown to increase school attendance and achievement.[5] States have approached this policy option in a variety of ways. Some have been able to fund both breakfast and lunch, while others have implemented policies to establish free school breakfasts. Several states have also considered policies that would provide free meals during after-school programs.



By providing meals at all phases of the school day—combined with opting into Gus Schumacher Nutrition Incentive Program (GusNIP) or SUN Bucks (Summer EBT) to help bridge the hunger gap over the summer—states can take crucial steps to address hunger, supporting children's ability to focus on learning, socializing, and thriving in the school environment.

Several states have attempted to implement universal school meals, but currently, only nine states offer them.[6] The movement to expand access to school meals has resulted in several states choosing to either establish universal school meals, free breakfast, or increase eligibility for free or reduced-priced meals during their 2025 legislative sessions:

1. Arkansas: Enacted school breakfast for any public-school student who "does not receive a free breakfast through any local, State, or federal program"[7]
2. Delaware: Established a law allowing school-aged children to receive a free school breakfast, regardless of household income, which will be implemented during the 2026-2027 school year.[8]
3. New York: Will begin offering universal school meals (breakfast and lunch) during the 2025-2026 school year.[9]
4. Utah: Starting July 1, 2025, Utah will offer free lunches to students who qualify for reduced-price lunches.[10]
5. North Dakota: Increased its school-meal eligibility for households at 225% of the federal poverty level for the 2025-2026 school year.[11]
6. Hawaii: Passed a law allowing school-aged children with household incomes up to 300 percent of the federal poverty level to receive free school meals.[12]



Several other states, including Alaska,[13] Connecticut,[14] Florida,[15] Georgia,[16] Iowa,[17] Missouri,[18] North Carolina,[19] Tennessee,[20] Virginia,[21] Washington State,[22] and the District of Columbia[23] considered offering school meals (breakfast, lunch, or both) during their 2025 legislative sessions.[24]

Some states have also been working to offer school meal options, such as halal or kosher foods, that align with community preferences and values. Recently, Illinois became the first state to require halal and kosher



food options in public schools, as well as hospitals and correctional facilities.[25] New York was considering a similar law that would require schools in cities with over one million people to offer halal foods for lunch.[26] A bill before the Texas Legislature would have required schools to offer halal foods upon request.[27]

Having enough time to eat is another key factor in fostering nutrition security for children.[28] Although federal regulations require that schools serve lunch between 10:00 a.m. and 2:00 p.m. each day,[29] there is no federal law requiring the amount of time school children must be allotted to eat meals.



The Centers for Disease Control and Prevention (CDC) recommends that schools allow students a minimum 20-minute lunch period, while acknowledging evidence has demonstrated additional benefits in a 30-minute lunch period (accounting for non-eating, seat time.)[30]

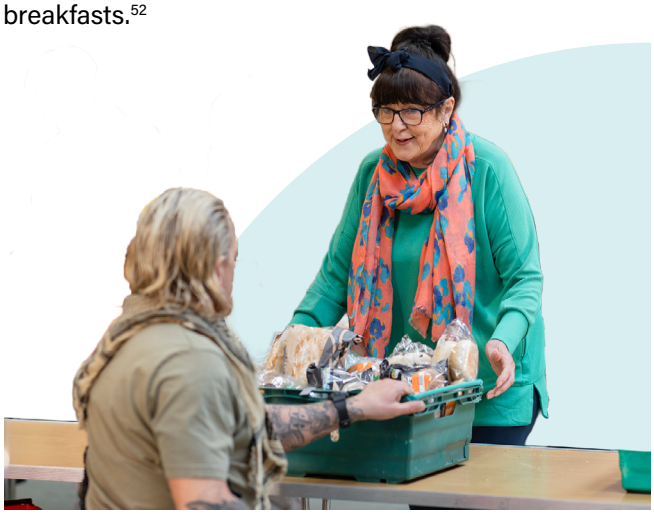
Currently, eleven states, including the District of Columbia, have implemented policies requiring a minimum time for school lunches, including Colorado,[31] Connecticut,[32] New Mexico,[33] District of Columbia,[34] Kentucky,[35] Mississippi,[36] Nevada,[37] New Hampshire,[38] North Carolina,[39] South Carolina,[40] and Washington State.[41] Additionally, some states have policies clarifying that school meal time will not be counted against instructional time.[42]

Farm-to-School Initiatives

Farm-to-school initiatives can be interwoven with school meal policies for greater nutritional impact. These efforts connect local farmers with schools to provide nutritious, locally grown food benefitting students, farmers, and the larger community.[43] Farm-to-school initiatives facilitate hands-on educational opportunities for children, while stimulating economic growth for local food producers, by direct sales to farmers and increased jobs in agricultural production and distribution.[44] Farm-to-school policies have been linked to increased produce consumption,[45] decreased soda consumption, increased physical activity, and reduced screen time.[46] Although farm-to-school initiatives were historically funded on a federal level, several states have implemented state-funded policies with many more states having considered legislative bills related to farm-to-school policies during the 2025 legislative sessions. [47]

Alabama established the Alabama Local Food Purchasing Program in 2020 with an initial appropriation of $120,000 growing to $600,000 in 2025 to continue supporting the initiative.[48] In 2025, Minnesota increased funding to support local food purchases for school and early childcare facilities.[49] Recently, Oklahoma launched its Local Foods for Schools incentive program, which will reimburse schools for purchasing nutrient-rich foods, (e.g., produce, meats, and dairy) from local

growers and producers.[50] In 2024, New Hampshire launched a two-year farm-to-school pilot program to help schools purchase food from New Hampshire farms.[51] North Carolina considered H.B. 774 which, in addition to school breakfasts, would have established a farm-to-table initiative complementing school breakfasts.[52]



Supporting Food Banks and Food Shelves

Food banks and food shelves are another important food access support for MCH populations, as 12 million children depend on food shelves for food.[53] To comprehensively address food access, states can provide direct funding for organizations that provide food banks and shelves. These funding approaches can be strengthened with robust infrastructure-support policies, including capital to purchase critically needed equipment for these initiatives (e.g., shelving, refrigeration units, etc.). Connecticut considered a bill that would have provided $10 million for the state's Supplemental Nutrition Commodities Assistance Program to purchase nutritious food for emergency shelters, food shelves, and soup kitchens.[54] The bill included language requiring at least 15% of the funds designated for the program be used to purchase Connecticut-grown produce or other products from state farmers.[55] The proposed law would have also increased funding for the program by at least 3% annually.[56] Hawaii considered a bill that would have established the Hawaii Farm to Families Program, which would have provided funding for food banks to purchase Hawaiian-grown or produced food.[57]

Establishing Grocery Stores in Low-Access Food Areas

The growing prevalence of low-access food areas presents another hurdle for ensuring nutrition security for MCH populations.[58] A low-access food area refers to a community—urban or rural—that lacks easy access to stores that sell food.[59] The USDA's Economic Research Service separates these regions into distinct groups based on the number (at least 500) or percentage (at least 33%) of residents living far (>.5 in an urban area or > 10 miles in a rural area) from a food store. Although these areas have historically been referred to as "food deserts," the use of this term has been criticized due to its oversimplification in aligning food security with proximity to grocery stores and failure to account for complex forces that created these areas.[60]



Low-access food areas can be found in urban and rural environments and research shows that approximately 19 million people live in areas with low food access to the nearest grocery store.[61] Of that group, about 2 million people do not have access to a vehicle.[62] This issue is exacerbated in rural settings.[63]

Communities have tried to solve this nuanced situation by adding grocery stores to these areas, but data show that consumers do not always shop at the food retailer closest to them[64] and this policy idea may not have much of an impact on the purchase of fresh produce.[65] A policy brief from the CUNY Urban Food Policy Institute studied the efficacy of establishing grocery stores in low-access food areas and proposed that governments center several strategies in supporting food access in communities including using community planning to



decipher food-access needs, prioritizing the availability of healthy food over the size of a food retailer, incentivize a variety of food retailers instead of focusing on traditional grocery stores, supporting existing food retailers, and prioritizing upstream interventions to food access.[66] States are using some of these policy levers in an effort to decrease the number of communities that lack easy access to stores with food:

1. Delaware established the Delaware Grocery Initiative, a three-year project funding efforts to develop a food-access strategy to address food insecurity in all areas within the state.[67] The initiative will provide financial assistance to eligible "food resources" (e.g., grocery stores, food banks, corner stores) for things such as equipment, operational expenses, and other costs.[68]
2. New Jersey implemented The Food Desert Relief Supermarket Tax Credit Program which provides incentives (up to $40 million/year in tax credits) to develop and sustain supermarkets and grocery stores in areas with low-food access.[69]
3. Minnesota established the Good Food Access Program which provides monetary support to grocery stores and small-food retailers with the goal of increasing access to affordable, healthy food.
4. Illinois recently passed the Grocery Initiative Act to address communities that lack easy food access, particularly to fresh food, within the state. The law also provides financial assistance to independently owned, co-op, and not-for-profit grocery stores operated within Illinois' communities.
5. Kansas legislators considered the Healthy Food Access for All Americans (HFAAA) Act, which would have created incentives for food providers in low-food access areas in the state, including incentives for building new grocery stores and food banks, retrofitting existing grocery stores, and establishing temporary-access markets, such as mobile markets.

Eliminating or Reducing Taxes on Grocery Food Purchases

Taxes on food can also create a barrier for food security for families.[70] A recent study found that a tax increase on groceries of just one percentage point can result in less food being purchased.[71] Because these taxes are the same percentage regardless of the purchaser's economic background, grocery taxes have an even greater impact on people with low incomes. By leveraging policy change in the form of tax reform, states can make it easier for families to purchase the groceries they need.[72]

Several states have recently amended their laws to eliminate or reduce taxes on grocery purchases:

1. Arkansas exempted groceries from their state sales tax.[73]
2. Illinois enacted legislation to eliminate their sales tax on groceries.[74]
3. Beginning in 2023, Kansas gradually eliminated its grocery sales tax, which is now in effect.[75]
4. Hawaii considered a bill during its 2025 legislative session that would have exempted foods and groceries from sales taxes.[76]
5. A 2025 bill before the Idaho Legislature proposed to exempt "foods for human consumption" from sales tax.[77]
6. Oklahoma removed its tax on food and food ingredients effective August 29, 2024.[78] The law also temporarily restricted new local sales taxes for these items.[79]
7. Missouri was considering a bill to exempt food retail sales from state sales taxes.[80]
8. Effective July 1, 2025, Mississippi decreased its sales tax rate on groceries from 7% to 5%.[81]





Taxation is an area where states can coordinate with local governments to help reduce the financial burden on parents and pregnant women and reduce the chances of food insecurity. Although some of these tax changes may seem small, they can make a significant impact on the wallets of American families and be the difference that can allow children to get enough to eat at home.

Conclusion

Food insecurity is driven by several factors, and states have the power to put policy into action to help ensure nutrition security for children and pregnant women. This can be done by funding school meals and food shelves, eliminating sales taxes for grocery store purchases, and creating opportunities to sustain and develop food stores in areas that lack them. By layering these policies in a multi-faceted approach, states can help provide nutrition security for MCH populations year-round.

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Endnotes

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2 Matthew P. Rabbitt et al., *Household Food Security in the United States in 2022*, USDA: ECON. RSCH. SERV. (Oct. 2023), https://ers.usda.gov/sites/default/files/_laserfiche/publications/107703/ERR-325_Summary.pdf?v=40506 [https://perma.cc/5NHB-NUCY].

3 Priya Shankar et al., *Association of Food Insecurity with Children's Behavioral, Emotional, and Academic Outcomes: A Systematic Review*, 38 J. DEV. & BEHAV. PEDIATR. 135 (2017), https://journals.lww.com/jrnldbp/abstract/2017/02000/association_of_food_insecurity_with_children_s.6.aspx [https://perma.cc/RA8J-S7WN].

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6 Currently, nine states offer meals for school children. California was the first state to permanently establish school meals and will continue offering them for the 2025-2026 school year. In addition to New York, which enacted universal school meals in 2025, Colorado, Maine, Massachusetts, Michigan, Minnesota, New Mexico, and Vermont all provide some form of state-funded school meals. Pennsylvania started offering universal breakfasts in the fall of 2022. They were able to use funding that was left over from prior School Food Service budgets and have continued to fund it since that time. Tim Stuhldreher, *Gov. Wolf Announces Universal Free School Breakfast for 2022-23, Starting Oct. 1*, ONE UNITED LANCASTER (Sep. 12, 2022), https://oneunitedlancaster.com/government/gov-wolf-announces-universal-free-school-breakfast-for-2022-23-starting-oct-1/ [https://perma.cc/JR8Y-NDEU].

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8 H.B. 91, 153rd Gen. Assemb., Reg. Sess. (Del. 2025).

9 S.B. 594, 2025 Gen. Assemb., Reg. Sess. (N.Y. 2025).

10 H.B. 100, 2025 Gen. Sess. (Utah 2025).

11 H.B. 1013, 69th Leg. Assemb., Reg. Sess. (N.D. 2025).

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13 H.B. 12, 34th Legis., Reg. Sess. (Alaska 2025).

14 H.B. 7273, 2025 Gen. Assemb., Reg. Sess. (Conn. 2025).

15 H.B. 119, 2025 Legis. Sess., Reg. Sess. (Fla. 2025).

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20 H.B. 1153, 2025 Gen. Assemb., Reg. Sess. (Tenn. 2025).

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22 H.B. 1404, 69th Legis., Reg. Sess. (Wash. 2025).

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26 S.B. 667, 2025 Leg., Reg. Sess. (N.Y. 2025).

27 H.B. 625, 89th Leg., Reg. Sess. (Tex. 2025).

28 *Time for Lunch*, CTRS. FOR DISEASE CONTROL & PREVENTION (July 23, 2024), https://www.cdc.gov/school-nutrition/school-meals/time-for-lunch.html#:~:text=Providing%20enough%20seat%20time%20for,in%20the%20school%20lunch%20program [https://perma.cc/7J5G-8LYS].

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31 Colorado requires an "adequate time to eat." COLO. REV. STAT. § 22-32-136(3)(a)(I) (2024).

32 CONN. GEN. STAT. § 10-221o(a)(1) (2024). Connecticut requires a daily lunch period of no less than 20 minutes.

33 N.M. CODE R. §6.10.5.8F (LexisNexis 2025).

34 D.C. CODE § 38-822.03b(5) (2025).

35 Kentucky requires that students be provided with "adequate time . . . [to] enjoy a complete meal" and includes this language for school breakfasts as well. 702 KY. ADMIN. REGS. 6:060 (2025).

36 Mississippi requires school to allow students to have at least 24 minutes to each lunch, and ten minutes to eat breakfast. 7-3 MISS. CODE R. § 38.11 (LexisNexis 2025).

37 Nevada has established a School Wellness Policy that requires students to receive 15 minutes to eat breakfast and 20 minutes for lunch. *Nevada School Wellness Policy*, NEV. DEP'T AGRIC., at 4 (Dec. 2024), https://agri.nv.gov/uploadedFiles/agrinvgov/Content/Food/Wellness/2024%20Wellness%20Policy_4.4.2025_r.pdf [https://perma.cc/6ERV-DZXQ].

38 New Hampshire has a policy that mandates "adequate time" for school-aged children to eat meals. N.H. Pub. L. No. 108-26, pt. Ed 306.10(k) (2024).

39 North Carolina law requires that students have an adequate amount of time to eat school meals (breakfast and lunch) or a minimum of 15 of "seat time" for breakfast and no less than 20 minutes of "seat time" for lunch. *2024-2025 Agreement Renewal to Administer the Federally Assisted School Nutrition Programs*, N.C. DEP'T PUB. INSTRUCTION, at 6, https://www.dpi.nc.gov/documents/schoolnutrition/2024-25-traditional-school-agreement-and-documentshighlighted/download?attachment [https://perma.cc/4WCW-YJNG] (last visited Nov. 12, 2025).

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42 For more information on which states do this (as well as other state school meal policies) see the School Nutrition Association's State School Meal Mandates and Reimbursements Report: School Year 2022-2023.

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57 H.B. 428, 33rd Leg., Reg. Sess. (Haw. 2025).

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72 St. Louis Public Radio, through Harvest Public Media, created a map outlining which states have grocery taxes and which states are eliminating them.

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