

**H. B. 2118**

(By Mr. Speaker, (Mr. Armstead) and Delegate Miley))

[By Request of the Executive]

[Introduced January 20, 2015; referred to the

Committee on Veterans’ Affairs and Homeland Security then Education.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-5-6a, relating to school nutrition standards during a state of emergency or state of preparedness; authorizing Governor or Legislature to temporarily suspend legislative rules establishing nutrition standards for foods and beverages served to students in public schools during a state of emergency or state of preparedness; and providing limitations.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §15-5-6a, to read as follows:

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.**

**§15-5-6a. Temporary suspension of nutrition standards in public schools.**

This section is operative only during the existence of a state of emergency or state of preparedness proclaimed by the Governor or by concurrent resolution of the Legislature. During a

1 state of emergency or state of preparedness, the Governor or the Legislature may, to facilitate  
2 uninterrupted days of instruction, temporarily suspend legislative rules establishing nutrition  
3 standards for foods and beverages distributed to students in public schools during the school day:  
4 *Provided, That safe alternative foods and beverages are available for distribution to students, and*  
5 *the temporary suspension of nutrition standards permitted by this section is limited to the geographic*  
6 *area impacted by the state of emergency or state of preparedness.*

NOTE: The purpose of this bill is to facilitate educational instruction during a state of emergency or state of preparedness where approved school meals are not available for distribution to students, but safe alternative meals are available for distribution.

This section is new; therefore, it has been completely underscored.