

Union Calendar No. 338

104TH CONGRESS
2^D SESSION

H. R. 2428

[Report No. 104-661]

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 1995

Ms. DANNER introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

MARCH 20, 1996

Additional sponsor: Mr. EMERSON

JULY 9, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONVERSION OF MODEL GOOD SAMARITAN**
 2 **FOOD DONATION ACT TO PERMANENT LAW.**

3 Title IV of the National and Community Service Act
 4 of 1990 is amended—

5 (1) by striking sections 401 and 403 (42 U.S.C.
 6 12671 and 12673); and

7 (2) in section 402, by striking “**MODEL**” in the
 8 section heading.

9 **SECTION 1. CONVERSION TO PERMANENT LAW OF MODEL**
 10 **GOOD SAMARITAN FOOD DONATION ACT AND**
 11 **TRANSFER OF THAT ACT TO CHILD NUTRI-**
 12 **TION ACT OF 1966.**

13 (a) *CONVERSION TO PERMANENT LAW.*—*Title IV of the*
 14 *National and Community Service Act of 1990 is amend-*
 15 *ed—*

16 (1) *by striking sections 401 and 403 (42 U.S.C.*
 17 *12671 and 12673); and*

18 (2) *in section 402 (42 U.S.C. 12672)—*

19 (A) *in the section heading, by striking*
 20 *“**MODEL**” and inserting “**BILL EMERSON**”;*

21 (B) *in subsection (a), by striking “Good Sa-*
 22 *maritan” and inserting “Bill Emerson Good Sa-*
 23 *maritan”;* and

24 (C) *in subsection (c)—*

25 (i) *by striking “A person or gleaner”*
 26 *and inserting the following:*

1 “(1) *LIABILITY OF PERSON OR GLEANER.*—A
2 *person or gleaner*”;

3 (ii) by striking “*needy individuals,*”
4 and inserting “*needy individuals.*”;

5 (iii) by inserting after “*needy individ-*
6 *uals.*” (as added by clause (ii)) the follow-
7 ing:

8 “(2) *LIABILITY OF NONPROFIT ORGANIZATION.*—
9 *A nonprofit organization shall not be subject to civil*
10 *or criminal liability arising from the nature, age,*
11 *packaging, or condition of apparently wholesome food*
12 *or an apparently fit grocery product that the non-*
13 *profit organization received as a donation in good*
14 *faith from a person or gleaner for ultimate distribu-*
15 *tion to needy individuals.*”; and

16 (iv) by striking “*except that this para-*
17 *graph*” and inserting the following:

18 “(3) *EXCEPTION.*—*Paragraphs (1) and (2)*”.

19 (b) *TRANSFER TO CHILD NUTRITION ACT OF 1966.*—
20 *Section 402 of the National and Community Service Act*
21 *of 1990 (42 U.S.C. 12672) (as amended by subsection*
22 *(a))—*

23 (1) *is transferred from the National and Com-*
24 *munity Service Act of 1990 to the Child Nutrition*
25 *Act of 1966;*

- 1 (2) *is redesignated as section 22 of the Child Nu-*
- 2 *trition Act of 1966; and*
- 3 (3) *is added at the end of such Act.*

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