

104TH CONGRESS
2D SESSION

S. 1938

To enact the model Good Samaritan Food Donation Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 1996

Mr. BOND (for himself and Mr. SANTORUM) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To enact the model Good Samaritan Food Donation Act, and for other purposes.

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

3 **SECTION 1. ENACTMENT OF MODEL GOOD SAMARITAN**
4 **FOOD DONATION ACT AND TRANSFER OF THE**
5 **ACT TO THE CHILD NUTRITION ACT OF 1966.**

6 (a) ENACTMENT.—Title IV of the National and Com-
7 munity Service Act of 1990 is amended—

8 (1) by striking sections 401 and 403 (42 U.S.C.
9 12671 and 12673); and

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

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

3 (B) in subsection (a), by striking “Good
4 Samaritan” and inserting “Bill Emerson Good
5 Samaritan”; and

6 (C) in subsection (c)—

7 (i) by striking “A person or gleaner”
8 and inserting the following:

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

11 (ii) by striking “needy individuals, ex-
12 cept that this paragraph” and inserting
13 the following: “needy individuals.

14 “(2) **LIABILITY OF NONPROFIT ORGANIZA-**
15 **TION.**—A nonprofit organization shall not be subject
16 to civil or criminal liability arising from the nature,
17 age, packaging, or condition of apparently whole-
18 some food or an apparently fit grocery product that
19 the nonprofit organization received as a donation in
20 good faith from a person or gleaner for ultimate dis-
21 tribution to needy individuals.

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

23 (b) **TRANSFER TO CHILD NUTRITION ACT OF**
24 **1966.**—Section 402 of the National and Community Serv-

1 ice Act of 1990 (42 U.S.C. 12672) (as amended by sub-
2 section (a)) is—

- 3 (1) transferred to the end of the Child Nutri-
4 tion Act of 1966 (42 U.S.C. 1771 et seq.); and
5 (2) redesignated as section 22 of the Act.

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