

HOUSE JOINT RESOLUTION 514

By Brooks K

A RESOLUTION to encourage donation of excess, apparently wholesome food to feed food-insecure people in the state.

WHEREAS, it is the intent of the General Assembly of the State of Tennessee to reduce waste and to provide assistance to food-insecure individuals throughout the state; and

WHEREAS, Tennessee Code Annotated, Title 53, Chapter 13, provides immunity from liability for good-faith donors of apparently wholesome food to bona fide charitable or nonprofit organizations; and

WHEREAS, Tennessee law specifically protects donors of apparently wholesome food from criminal penalties for violation of unfair trade practice laws and civil damages arising from the condition of the food, unless an injury is caused by the negligence, recklessness, or intentional conduct of the donor; and

WHEREAS, in 1996 the United States Congress passed the Bill Emerson Good Samaritan Food Donation Act, which also protects good-faith food donors from liability at the federal level; and

WHEREAS, the Bill Emerson Good Samaritan Food Donation Act protects individuals, corporations, partnerships, organizations, associations, governmental entities, wholesalers, retailers, restaurateurs, caterers, farmers, gleaners, nonprofit agencies, and others, who donate food to nonprofit feeding programs; and

WHEREAS, the Bill Emerson Good Samaritan Food Donation Act protects food donors from civil and criminal liability and covers donations of all food and grocery products that meet quality and labeling standards imposed by federal, state, and local laws and regulation, even

though the food may not be "readily marketable due to age, freshness, grade, size, surplus, or other conditions"; and

WHEREAS, there are numerous food-insecure families in Tennessee who experience difficulty obtaining affordable, nutritious food on a daily basis who would be helped by donations of excess food; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the General Assembly of the State of Tennessee encourages all state agencies and their contractors to donate excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in Tennessee.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.