



1 This section and Sections 2 and 3 of this act shall be known and  
2 may be cited as the "Josephine Meade Anti-Hunger Act".

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 163.3 of Title 56, unless there  
5 is created a duplication in numbering, reads as follows:

6 The Department of Human Services shall promulgate rules  
7 authorizing the patrons of senior nutrition project sites to take  
8 home leftover food. The Department shall also seek ways to receive  
9 for distribution to patrons donated nonperishable food.

10 The State Department of Education shall promulgate rules to  
11 prevent food waste in public school cafeterias and shall develop  
12 policies for redistributing leftover foods to students in need. The  
13 Department shall seek ways to receive for distribution to needy  
14 students nonperishable food.

15 SECTION 3. AMENDATORY 76 O.S. 2011, Section 5.6, is  
16 amended to read as follows:

17 Section 5.6 A. Any donor who makes a good\_faith donation of  
18 food which is at the time of donation fit for human consumption to a  
19 charitable organization or nonprofit corporation shall not be liable  
20 for damages in any civil suit or subject to criminal prosecution for  
21 any injury resulting from the nature, age, condition or packaging of  
22 the donated food, unless the injury or death is a direct result of  
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1 the gross negligence, recklessness or intentional misconduct of the  
2 donor.

3 B. Any donor who makes a good-faith donation to a charitable  
4 organization or nonprofit corporation shall be required to provide  
5 the food source name of all ingredients that could contain major  
6 food allergens pursuant to the Food Allergen Labeling and Consumer  
7 Protection Act of 2004.

8 C. This section shall apply to all good-faith donations of  
9 perishable or nonperishable food which is not readily marketable due  
10 to appearance, freshness, grade or other conditions.

11 ~~E. D.~~ This section shall not restrict the authority of any  
12 appropriate agency to regulate or ban the use of such food for human  
13 consumption.

14 ~~D. E.~~ For purposes of this section:

15 1. "Donor" means any person, profit or nonprofit food  
16 distributor, or person who harvests perishable foods who makes a  
17 good-faith donation of food;

18 2. "Good-faith donation" means a gift conferred without  
19 condition or consideration;

20 3. "Charitable organization" means any benevolent,  
21 philanthropic, patriotic, eleemosynary, educational, social, civic,  
22 recreational, or religious group or association or any other person  
23 performing or purporting to perform acts beneficial to the public;

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1 4. "Nonprofit corporation" means a corporation formed for a  
2 purpose not involving pecuniary gain to its shareholders or members,  
3 paying no dividends or other pecuniary remuneration, directly or  
4 indirectly, to its shareholders or members as such, and having no  
5 capital stock; and

6 5. "Food" includes any packaged, prepared, perishable or  
7 nonperishable food item.

8 SECTION 4. It being immediately necessary for the preservation  
9 of the public peace, health and safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

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13 COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02/20/2013 -  
14 DO PASS, As Amended and Coauthored.

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