

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1875

By: Dunnington and Proctor

AS INTRODUCED

An Act relating to schools; defining certain terms; permitting schools to donate food to a nonprofit organization through certain individuals; providing examples of food that may be included; permitting food donated to a nonprofit organization to be redistributed on the school site; permitting certain employees to assist in preparing and distributing food; permitting State Board of Education to promulgate certain rule; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-147.1 of Title 170e, unless there is created a duplication in numbering, reads as follows:

A. As used in this section only:

1. "Donate" means to give without requiring anything of monetary value from the recipient; and

2. "Nonprofit organization" means an incorporated or unincorporated organization that has been established and is operating for religious, charitable or educational purposes and that

1 does not distribute any of its income to its members, directors or
2 officers.

3 B. A school district may allow a school site to elect to donate
4 food to a nonprofit organization through an official on-campus
5 nonprofit representative or designee who is directly affiliated with
6 the school site such as a teacher, counselor or Parent-Teacher
7 Association (PTA) member, and the donated food may be received,
8 stored and redistributed at the school site at any time. Food
9 donated by the school site may include:

10 1. Surplus food from breakfast, lunch, snack and dinner meals
11 served at the campus cafeteria subject to any applicable local,
12 state and federal requirements. Examples of eligible leftover food
13 include packaged/unpackaged unserved food; served/unserved food with
14 packaging in good condition; whole, uncut produce; wrapped raw
15 produce; and/or fruit which will be peeled such as bananas or
16 oranges; or

17 2. Food donated to the on-campus nonprofit representative as a
18 result of a food drive or similar event.

19 C. Food donated under this section to a nonprofit organization
20 may be redistributed on the school site. School employees may
21 assist in preparing and distributing the food as volunteers for the
22 nonprofit organization.

23 D. The State Board of Education may promulgate rules to
24 implement the provisions of this section.

SECTION 2. This act shall become effective November 1, 2017.

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