

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 1542

By: Moore

COMMITTEE SUBSTITUTE

An Act relating to torts; defining terms; providing immunity from civil liability for restaurants that donate food; providing exceptions; providing date for application of immunity to civil actions; 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 33.1 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Food" means unserved perishable, salvageable food that has been properly preserved for human consumption; and

2. "Restaurant" means any eating establishment regardless of seating capacity including public school district cafeterias.

B. Any restaurant that, in good faith and without compensation, donates food which is prepared and subsequently donated by the restaurant shall not be liable for damages caused by the condition

1 of the food, unless the damages by the restaurant result from an  
2 intentional act, omission, gross negligence or the restaurant knew  
3 or should have known of the condition of the food that resulted in  
4 the damages.

5 C. This section shall apply to all civil actions filed on or  
6 after November 1, 2023.

7 SECTION 2. This act shall become effective November 1, 2023.

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9 59-1-7523 GRS 02/16/23

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