

1 ENGROSSED HOUSE
2 BILL NO. 1542

By: Moore of the House

3 and

4 Stanley of the Senate
5
6

7 An Act relating to torts; defining terms; providing
8 immunity from civil liability for restaurants that
9 donate food; providing exceptions; providing date for
10 application of immunity to civil actions; providing
11 for codification; and providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 33.1 of Title 76, unless there
15 is created a duplication in numbering, reads as follows:

16 A. As used in this section:

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

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

21 B. Any restaurant that, in good faith and without compensation,
22 donates food which is prepared and subsequently donated by the
23 restaurant shall not be liable for damages caused by the condition
24 of the food, unless the damages by the restaurant result from an

intentional act, omission, gross negligence or the restaurant knew or should have known of the condition of the food that resulted in the damages.

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

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

Passed the House of Representatives the 7th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2023.

Presiding Officer of the Senate