

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2428

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IN THE SENATE OF THE UNITED STATES

JULY 12, 1996

Received

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## AN ACT

To encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

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1 **SECTION 1. CONVERSION TO PERMANENT LAW OF MODEL**  
2 **GOOD SAMARITAN FOOD DONATION ACT AND**  
3 **TRANSFER OF THAT ACT TO CHILD NUTRI-**  
4 **TION ACT OF 1966.**

5 (a) CONVERSION TO PERMANENT LAW.—Title IV of  
6 the National and Community Service Act of 1990 is  
7 amended—

8 (1) by striking sections 401 and 403 (42 U.S.C.  
9 12671 and 12673); and

10 (2) in section 402 (42 U.S.C. 12672)—

11 (A) in the section heading, by striking  
12 “**MODEL**” and inserting “**BILL EMERSON**”;

13 (B) in subsection (a), by striking “Good  
14 Samaritan” and inserting “Bill Emerson Good  
15 Samaritan”; and

16 (C) in subsection (c)—

17 (i) by striking “A person or gleaner”  
18 and inserting the following:

19 “(1) LIABILITY OF PERSON OR GLEANER.—A  
20 person or gleaner”;

21 (ii) by striking “needy individuals,”  
22 and inserting “needy individuals.”;

23 (iii) by inserting after “needy individ-  
24 uals.” (as added by clause (ii)) the follow-  
25 ing:

1           “(2) LIABILITY OF NONPROFIT ORGANIZA-  
2           TION.—A nonprofit organization shall not be subject  
3           to civil or criminal liability arising from the nature,  
4           age, packaging, or condition of apparently whole-  
5           some food or an apparently fit grocery product that  
6           the nonprofit organization received as a donation in  
7           good faith from a person or gleaner for ultimate dis-  
8           tribution to needy individuals.”; and

9                               (iv) by striking “except that this para-  
10                              graph” and inserting the following:

11                             “(3) EXCEPTION.—Paragraphs (1) and (2)”.

12           (b) TRANSFER TO CHILD NUTRITION ACT OF  
13           1966.—Section 402 of the National and Community Serv-  
14           ice Act of 1990 (42 U.S.C. 12672) (as amended by sub-  
15           section (a))—

16                             (1) is transferred from the National and Com-  
17                             munity Service Act of 1990 to the Child Nutrition  
18                             Act of 1966;

19                             (2) is redesignated as section 22 of the Child  
20                             Nutrition Act of 1966; and

21                             (3) is added at the end of such Act.

Passed the House of Representatives July 12, 1996.

Attest:

ROBIN H. CARLE,

*Clerk.*