

**HOUSE . . . . . No. 1899**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Susan Williams Gifford*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the charitable donation of not readily marketable food.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>

**HOUSE . . . . . No. 1899**

By Ms. Gifford of Wareham, a petition (accompanied by bill, House, No. 1899) of Susan Williams Gifford and others relative to the charitable donation of not readily marketable food. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3238 OF 2017-2018.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to the charitable donation of not readily marketable food.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 328 of Chapter 94 of the General Laws as appearing in the 2016  
2 Official Edition is hereby amended by inserting, in line 1, before the words "No person", the  
3 following paragraph: -

4 For the purpose of this section, the term "person" shall mean an individual, corporation,  
5 partnership, organization, association, or governmental entity, including a retail grocer,  
6 wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor  
7 or hospital. In the case of a corporation, partnership, organization, association, or governmental  
8 entity, the term includes an officer, director, partner, deacon, trustee, council member, or other  
9 elected or appointed individual responsible for the governance of the entity; as defined by

- 10 Paragraph (10) of Subsection (b) of Section 1791 of Chapter 13A of the 2015 United States
- 11 Code, also known as the Bill Emerson Good Samaritan Food Donation Act.