

2018 -- S 2808

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LC004832
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY

Introduced By: Senators Morgan, Paolino, and Archambault

Date Introduced: April 05, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-27.1 of the General Laws in Chapter 9-1 entitled "Causes of
2 Action" is hereby amended to read as follows:

3 **9-1-27.1. Good Samaritan -- Immunity from liability.**

4 (a) No person who voluntarily and gratuitously renders emergency assistance to a person
5 in need thereof including the administration of life saving treatment to those persons suffering
6 from anaphylactic shock shall be liable for civil damages which result from acts or omissions by
7 such persons rendering the emergency care, which may constitute ordinary negligence. This
8 immunity does not apply to acts or omissions constituting gross negligence or willful or wanton
9 conduct.

10 (b) No person who voluntarily and gratuitously donates food or wild game to a food
11 pantry, food bank, the Rhode Island department of environmental management, or to a person in
12 need shall be liable for civil or criminal damages which result from acts or omissions by such
13 persons rendering the assistance and donations of food or game, which may constitute ordinary
14 negligence, as long as the person acted in good faith. This immunity does not apply to acts or
15 omissions constituting gross negligence or willful or wanton conduct.

16 (c) No person who provides, collects or gathers food pursuant to subsection (b) of this
17 section shall be subject to civil or criminal liability arising from the nature, age, packaging or
18 condition of apparently wholesome food or an apparently fit grocery product that the person
19 donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.

1 (d) No nonprofit organization shall be subject to civil or criminal liability arising from the
2 nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery
3 product that the nonprofit organization received as a donation in good faith from any person or
4 organization for ultimate distribution to needy individuals.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY

- 1 This act would provide immunity to any person or organization that provides food or wild
- 2 game to a food pantry, food bank or DEM for ultimate distribution to needy individuals.
- 3 This act would take effect upon passage.

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