

HB 607

2013

1                   A bill to be entitled  
2           An act relating to canned or perishable food  
3           distributed free of charge; amending s. 768.136, F.S.;  
4           limiting the liability of public schools with respect  
5           to the donation of canned or perishable food to  
6           charitable or nonprofit organizations; revising a  
7           definition; authorizing a public school to donate food  
8           if the school meets food protection requirements  
9           adopted by the district school board; providing an  
10          effective date.

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12   Be It Enacted by the Legislature of the State of Florida:

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14          Section 1. Paragraph (a) of subsection (1) of section  
15   768.136, Florida Statutes, is amended to read:

16          768.136 Liability for canned or perishable food  
17   distributed free of charge.—

18          (1) As used in this section:

19          (a) "Donor" means a person, business, organization, or  
20   institution, including a public school, which owns, rents,  
21   leases, or operates:

22          1. Any building, vehicle, place, or structure, or any room  
23   or division in a building, vehicle, place, or structure, that is  
24   maintained and operated as a place where food is regularly  
25   prepared, served, or sold for immediate consumption on or in the  
26   vicinity of the premises; or to be called for or taken out by  
27   customers; or to be delivered to factories, construction camps,  
28   airlines, locations where catered events are being held, and

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29 | other similar locations for consumption at any place;

30 |       2. Any public location with vending machines dispensing  
31 | prepared meals; or

32 |       3. Any retail grocery store.

33 |       Section 2. A public school may donate food to a charitable  
34 | or nonprofit organization pursuant to s. 768.136, Florida  
35 | Statutes, if the school meets requirements adopted by the  
36 | district school board for food protection, storage, handling,  
37 | and transport. Such donation shall be approved by the school  
38 | principal.

39 |       Section 3. This act shall take effect July 1, 2013.