

HOUSE No. 3680

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a Bill with the same title (House, No. 1997). October 2, 2013.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to potluck events.

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

1 Chapter 94 of the General Laws is hereby amended by inserting after section 328 the
2 following section:-

3 Section 328A. (a) As used in this section, “potluck event” shall have the following
4 meaning:-

5 an event that meets all of the following conditions: (1) people are gathered to share food
6 at the event; (2) there is no compensation provided to people for bringing food to the event; (3)
7 the event is not conducted for commercial purposes; and (4) the participants at the event will be
8 informed that neither the food nor the facilities have been inspected by the state or a local public
9 health department.

10 (b) Notwithstanding any general or special law to the contrary, neither the department of
11 public health nor any local board of health may regulate the serving of food that is brought to a
12 potluck event sponsored by a group of individuals or by a religious, charitable, or nonprofit
13 organization by individuals attending the potluck event for consumption at the potluck event.
14 Individuals who are not members of a group or organization sponsoring a potluck event may
15 attend the potluck event and consume the food at the event. A business establishment dealing in
16 the sale of food items may not sponsor a potluck event. Potluck event food may not be brought
17 into the kitchen of a business establishment dealing in the sale of food.