

HOUSE No. 3238

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: | DATE ADDED: |
|-------------------------------|-----------------------------------|------------------|
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i> | <i>1/20/2017</i> |
| <i>José F. Tosado</i> | <i>9th Hampden</i> | <i>1/24/2017</i> |
| <i>Mathew Muratore</i> | <i>1st Plymouth</i> | |
| <i>John W. Scibak</i> | <i>2nd Hampshire</i> | |
| <i>Leonard Mirra</i> | <i>2nd Essex</i> | |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> | <i>1/25/2017</i> |
| <i>Robert M. Koczera</i> | <i>11th Bristol</i> | |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> | |
| <i>David K. Muradian, Jr.</i> | <i>9th Worcester</i> | |
| <i>Randy Hunt</i> | <i>5th Barnstable</i> | |
| <i>Angelo M. Scaccia</i> | <i>14th Suffolk</i> | |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | |
| <i>Michael S. Day</i> | <i>31st Middlesex</i> | |
| <i>Keiko M. Orrall</i> | <i>12th Bristol</i> | |
| <i>Hannah Kane</i> | <i>11th Worcester</i> | |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | |

HOUSE No. 3238

By Ms. Gifford of Wareham, a petition (accompanied by bill, House, No. 3238) of Susan Williams Gifford and others relative to the charitable donation of not readily marketable food. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 2014
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.