ALASKA LEGISLATURE

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Sectional Analysis

HB 179 version E – Meal program donations; fish and game

Section 1 allows covered organizations to accept donations of covered food items for use in their meal service programs, and allows covered organizations to accept state funding, federal funding, and fees from staff and users for serving meals containing covered food items. Payment can only be accepted for meals provided to staff and users of the covered organization, not for meals provided to the general public. Users are individuals a covered organization serves.

For the purposes of the section, covered organizations are public or nonprofit licensed residential child care facilities, licensed residential treatment centers, hospitals, clinics, long-term care facilities, other medical facilities, senior center facilities, and senior meal programs, or public, nonprofit, or private schools and child care facilities.

Covered food items include lawfully taken game, marine plants, aquatic plants, parts of game, marine plants, or aquatic plants, lawfully taken nests or eggs of fish or game, and fish or parts of fish lawfully taken for subsistence or sport.

Section 2 indemnifies donors of covered food items as defined in section 1 from civil or criminal liability arising from injury or death attributable to the condition of the donated food if the injury or death is not a result of gross negligence, recklessness, or intentional misconduct of the donor.

Section 3 indemnifies covered organizations under section 1 from civil and criminal liability for injury or death attributable to the condition of donated food if the organization inspects the food and finds it fit for human consumption, processes the covered food item as required by the Department of Environmental Conservation, does not have knowledge of the food being adulterated or contaminated, and if the injury or death is not a result of negligence, recklessness, or intentional misconduct on the part of the program or facility.

Section 4 defines covered organization for the purposes of section 3.

Section 5 defines covered food item for the purposes of sections 2-4.