

Original sponsors: Munson, Buchholdt,
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1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 686 am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the protection of the public
7 health."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 17.20 is amended by adding a new section to read:

10 Sec. 17.20.345. LIMITATION OF CIVIL AND CRIMINAL LIABILITY OF
11 DONORS OF FOOD. (a) A person who donates food for use or distribution
12 by a nonprofit organization may not be liable for civil damages or
13 subject to criminal prosecution resulting from adulteration or mis-
14 branding of the donated food, unless the adulteration or misbranding
15 results from intentional or grossly negligent conduct by the donor.

16 (b) A nonprofit organization may request that the commissioner
17 inspect donated food to determine if the food is adulterated or mis-
18 branded.

19 (c) In this section "grossly negligent conduct" means the in-
20 tentional failure to perform a duty with reckless disregard of con-
21 sequences that affect the life or property of another.

22 * Sec. 2. AS 44.29 is amended by adding a new section to article 1 to
23 read:

24 Sec. 44.29.030. DELEGATION OF AUTHORITY OF COMMISSIONER. The
25 commissioner of health and social services may delegate to the Depart-
26 ment of Environmental Conservation the performance of a duty or
27 authority of the commissioner under AS 17.05, AS 17.20, or AS 18.05.040.
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