

By the Committee on Judiciary; and Senators Rich, Haridopolos, Jones, King, Dean, Hill, Geller, Fasano, Aronberg, Gaetz and Wise

590-04017-08

2008276c1

1 A bill to be entitled

2 An act relating to food donation by public food service
3 establishments; providing a short title; amending s.
4 768.136, F.S.; expanding the definition of "perishable
5 food" to include foods prepared at a public food service
6 establishment licensed under ch. 509, F.S.; providing an
7 effective date.

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

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11 Section 1. This act may be cited as the "Jack Davis Florida
12 Restaurant Lending a Helping Hand Act."

13 Section 2. Paragraph (d) of subsection (1) of section
14 768.136, Florida Statutes, is amended to read:

15 768.136 Liability for canned or perishable food distributed
16 free of charge.--

17 (1) As used in this section:

18 (d) "Perishable food" means any food that may spoil or
19 otherwise become unfit for human consumption because of its
20 nature, type, or physical condition. "Perishable food" includes,
21 but is not limited to, fresh or processed meats, poultry,
22 seafood, dairy products, bakery products, eggs in the shell,
23 fresh fruits or vegetables, and foods that have been
24 noncommercially packaged, ~~or~~ that have been frozen or otherwise
25 require refrigeration to remain nonperishable for a reasonable
26 length of time, or that have been prepared at a public food
27 service establishment licensed under chapter 509.

28 Section 3. This act shall take effect July 1, 2008.