

By Senator Bullard

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1 A bill to be entitled
2 An act relating to canned or perishable food
3 distributed free of charge; amending s. 768.136, F.S.;
4 limiting the liability of public schools with respect
5 to the donation of canned or perishable food to
6 charitable or nonprofit organizations; revising a
7 definition; authorizing a public school to donate food
8 if the school meets food protection requirements
9 adopted by the district school board; providing an
10 effective date.

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

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14 Section 1. Paragraph (a) of subsection (1) of section
15 768.136, Florida Statutes, is amended to read:

16 768.136 Liability for canned or perishable food distributed
17 free of charge.—

18 (1) As used in this section:

19 (a) "Donor" means a person, business, organization, or
20 institution, including a public school, which owns, rents,
21 leases, or operates:

22 1. Any building, vehicle, place, or structure, or any room
23 or division in a building, vehicle, place, or structure, that is
24 maintained and operated as a place where food is regularly
25 prepared, served, or sold for immediate consumption on or in the
26 vicinity of the premises; or to be called for or taken out by
27 customers; or to be delivered to factories, construction camps,
28 airlines, locations where catered events are being held, and
29 other similar locations for consumption at any place;

39-00770A-13

2013940__

30 2. Any public location with vending machines dispensing
31 prepared meals; or

32 3. Any retail grocery store.

33 Section 2. A public school may donate food to a charitable
34 or nonprofit organization pursuant to s. 768.136, Florida
35 Statutes, if the school meets requirements adopted by the
36 district school board for food protection, storage, handling,
37 and transport. Such donation shall be approved by the school
38 principal.

39 Section 3. This act shall take effect July 1, 2013.