

Regular Session, 2012

HOUSE BILL NO. 904

BY REPRESENTATIVE HUNTER

1 AN ACT

2 To amend and reenact R.S. 9:2799(A)(1) and 2799.3, relative to limitation of liability for
3 damages from donated food; to provide for limitation of liability of schools,
4 churches, and civic organizations; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2799(A)(1) and 2799.3 are hereby amended and reenacted to read
7 as follows:

8 §2799. Limitation of liability for damages from donated food

9 A.(1) No person shall have a cause of action against a food bank and its
10 designated distributor or against any individual, farmer, food service establishment,
11 school, church, civic organization, manufacturer, processor, packer, restaurant,
12 wholesaler, or retailer of food, or vitamins, who donates to food banks perishable,
13 salvageable, or prepared food for gleaning or for free distribution by food banks, for
14 damages caused by the condition of the food or vitamins, unless the damages result
15 from the intentional act or omission or the gross negligence of the food bank, its
16 designated distributor, or donor.

17 * * *

18 §2799.3. Limitation of liability of ~~a restaurant~~, restaurants, schools, churches, civic
19 organizations, and certain food donors for damages from donated food

20 No person shall have a cause of action against a restaurant, church, civic
21 organization, or school, or against any individual, farmer, manufacturer, processor,
22 packer, wholesaler, or retailer of food who donates perishable, salvageable food
23 which is prepared and subsequently donated by the restaurant, church, civic

1 organization, or school to a facility which operates an on-premises feeding program
2 for the needy, the ill, the handicapped, infants, or individuals or families in need of
3 assistance for damages caused by the condition of the food, unless the damages result
4 from the intentional act or omission or the negligence of the restaurant or donor.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____