

Amendment to HB 1285

1 Amend RSA 508:15, I(b) as inserted by section 1 of the bill by replacing it with the following:

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3 (b) "Food" means any raw, cooked or processed edible substance, ice, beverage or
4 ingredient used or intended for use or for sale in whole or in part for human consumption ***or for***
5 ***feeding of animals***. "Food" also means food items open-dated for which the date has passed.
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7 Amend RSA 508:15, II as inserted by section 2 of the bill by replacing it with the following:

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9 II. The good faith donor of any food to a needy individual or individuals or to a bona fide
10 charitable or non-profit organization for distribution or serving by such organization without charge
11 or at a charge sufficient only to cover the cost of handling and administering such food and the
12 distribution thereof, ***or to a person for uses such as animal feed or composting***, shall not be
13 subject to criminal penalty or civil damages arising from the condition of the food, unless an injury
14 is caused by the gross negligence, recklessness, or intentional misconduct of the donor; provided,
15 however, that at the time of donation such food is not knowingly misbranded and is not adulterated
16 and has not been manufactured, processed, prepared, handled or stored in violation of applicable
17 rules of the department of health and human services, or unless an injury is caused by the gross
18 negligence, recklessness or intentional conduct of the donor.