

PUBLIC CHAPTER NO. 886

SENATE BILL NO. 2726

By Berke, Burks, Black

Substituted for: House Bill No. 2805

By McDonald, Pitts, Bass, Hardaway, Evans, Bone, Fincher, Sontany, Maddox,
Ulysses Jones,
John Deberry, Shaw

AN ACT to amend Tennessee Code Annotated, Title 49 and Title 53, Chapter 13, Part 1,
relative to donations of food.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-13-102, is amended by redesignating current subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Any local education agency may donate any apparently wholesome food fit for human consumption to a county jail or bona fide charitable or nonprofit organization for free distribution, and shall not be subject to criminal penalty for violation of unfair trade practice laws or civil damages arising from the condition of the food, unless an injury is caused by the negligence, recklessness or intentional conduct of the agency.

SECTION 2. The Commissioner of Education is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: April 22, 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 10th day of May 2010



PHIL BREDESEN, GOVERNOR