
A BILL FOR AN ACT

RELATING TO FOOD DONATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that more than ten per
2 cent of Hawaii residents, including tens of thousands of
3 children and seniors, are food insecure and receive food
4 assistance through nonprofit organizations and government
5 programs. Despite high levels of food insecurity, Hawaii
6 businesses and residents discard more than 237,000 tons of food
7 waste per year.

8 The legislature further finds that approximately twenty-six
9 per cent of food grown in or imported to Hawaii is thrown away,
10 amounting to approximately \$1,000,000,000 in annual food waste.
11 Worldwide, an estimated one-third of the food raised or prepared
12 goes to waste, despite more than eight hundred million people
13 experiencing hunger.

14 The legislature recognizes that food production is a direct
15 contributor to local and global climate change. Food production
16 requires energy, fertilizer, irrigation, livestock feed, and
17 other resources that contribute to greenhouse gas emissions and



1 add pollutants to the environment. Food waste entering
2 landfills creates methane gas, a greenhouse gas that is
3 eighty-four times more potent than carbon dioxide. Worldwide,
4 wasted food accounts for approximately eight per cent of all
5 human-based greenhouse gas emissions.

6 The Bill Emerson Good Samaritan Act was passed by the
7 United States Congress in 1996 to protect good-faith food donors
8 from civil and criminal liability and to encourage the donation
9 of food that would otherwise go to waste. Despite these
10 protections, much of the wholesome surplus food in Hawaii and in
11 other states is discarded instead of donated due to ambiguities
12 in the existing statutes. A California survey found that
13 forty-four per cent of manufacturers, forty-one per cent of
14 restaurants, and twenty-five per cent of retailers identified
15 fear of liability as their primary barrier to donating surplus
16 food, in spite of existing liability protections.

17 The purpose of this Act is to require the department of
18 health to conduct a study on increasing the number of
19 restaurants and nonprofit organizations donating surplus food.



1 SECTION 2. (a) The department of health shall conduct a
2 study on increasing the number of restaurants and nonprofit
3 organizations donating surplus food.

4 (b) The department of health shall submit a report of its
5 findings and recommendations, including any proposed
6 legislation, to the legislature no later than twenty days prior
7 to the convening of the regular session of 2021.

8 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Food Donation; DOH; Study

Description:

Requires the department of health to conduct a study on increasing the number of restaurants and nonprofit organizations donating surplus food. Takes effect on 7/1/2050. (HD1)

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