

STAND. COM. REP. NO.

663

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 854

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 854
entitled:

"A BILL FOR AN ACT RELATING TO FOOD DONATION,"

begs leave to report as follows:

The purpose of this measure is to discourage food waste and
encourage food donation to needy recipients by:

- (1) Expanding liability protections for good-faith food
donors;
- (2) Allowing the donation of expired food or farm produce
when the donor reasonably believes that the food is fit
for human consumption; and
- (3) Requiring that education about food donation liability
be included as part of the health inspection process.

The Department of Health, Kōkua Hawaii Foundation, Our
Revolution Hawaii, Hawaii Food Industry Association, O'ahu County
Committee on Legislative Priorities of the Democratic Party of
Hawai'i, and a few individuals submitted testimony in support of
this measure. The Hawaii Appleseed Center for Law and Economic
Justice offered comments on this measure.

HB854 HD1 HSCR HLT HMS 2019-2301



Your Committee has amended this measure by:

- (1) Including donations of perishable and nonperishable food from institutions that comply with commercial food safety requirements in the exemption from liability;
- (2) Changing its effective date to January 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 854, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,


JOHN M. MIZUNO, Chair



