

STAND. COM. REP. NO.

1173

Honolulu, Hawaii

MAR 01, 2019

RE: H.B. No. 854
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 854, H.D. 1, 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) Clarifying and expanding liability protections for good-faith food donors;
- (2) Clarifying that liability exemptions apply to the donation of expired food, farm produce, and perishable and nonperishable food from institutions that comply with commercial food safety requirements if 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 Hawaii Food Industry Association testified in support of this measure. The Hawaii Association for Justice testified in opposition to this measure.

HB854 HD2 HSCR JUD HMS 2019-2730



Your Committee has amended this measure by:

- (1) Deleting the liability protection for:
 - (A) Donors who donate directly to needy persons or government entities;
 - (B) Government entities that receive and distribute food to needy persons at no charge; and
 - (C) Donations of expired food and farm produce; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 854, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 854, H.D. 2.

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



CHRIS LEE, Chair



