

Senate File 590 - Introduced

SENATE FILE 590
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SF 359)

A BILL FOR

1 An Act limiting liability for food distributors who donate food
2 to charitable or nonprofit organizations or certain government
3 entities.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 672.1, subsection 2, Code 2025, is amended
2 to read as follows:

3 2. A gleaner, or a restaurant, food establishment, food
4 service establishment, school, manufacturer of foodstuffs, meat
5 or poultry establishment licensed pursuant to chapter 189A,
6 food distributor, or other person who, in good faith, donates
7 food to a charitable or nonprofit organization for ultimate
8 free distribution to needy individuals, or to the department
9 of natural resources or a county conservation board for use
10 in a free interpretive educational program, is not subject to
11 criminal or civil liability arising from the condition of the
12 food if the donor reasonably inspects the food at the time of
13 the donation and finds the food fit for human consumption. The
14 immunity provided by this subsection does not extend to a donor
15 or gleaner if damages result from the negligence, recklessness,
16 or intentional misconduct of the donor, or if the donor or
17 gleaner has, or should have had, actual or constructive knowledge
18 that the food is tainted, contaminated, or harmful to the health
19 or well-being of the ultimate recipient.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill amends Code section 672.1 providing that a person
24 is exempt from criminal or civil liability for donating food
25 to a charitable or nonprofit organization or to the department
26 of natural resources or a county conservation board so long
27 as the person is acting in good faith. The charitable or
28 nonprofit organization must distribute the food free to needy
29 individuals. The department of natural resources or a county
30 conservation board must use the food as part of a free
31 interpretive educational program. The Code section includes
32 a list of persons who are expressly granted the exemption,
33 including a gleaner, restaurant, food establishment, food service
34 establishment, school, manufacturer of foodstuffs, or meat or
35 poultry processing establishment. The bill provides that a food

1 distributor is included in the list.

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