

HOUSE No. 1492

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the charitable donation of leftover food by restaurants.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|----------------------------------|------------------------------|
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> |
| <i>James Arciero</i> | <i>2nd Middlesex</i> |
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> |
| <i>Donald R. Berthiaume, Jr.</i> | <i>5th Worcester</i> |
| <i>Nicholas A. Boldyga</i> | <i>3rd Hampden</i> |
| <i>Leah Cole</i> | <i>12th Essex</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> |
| <i>Angelo L. D'Emilia</i> | <i>8th Plymouth</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> |
| <i>Stephen L. DiNatale</i> | <i>3rd Worcester</i> |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> |
| <i>James J. Dwyer</i> | <i>30th Middlesex</i> |
| <i>Tricia Farley-Bouvier</i> | <i>3rd Berkshire</i> |
| <i>Carole A. Fiola</i> | <i>6th Bristol</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> |
| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> |
| <i>Kate Hogan</i> | <i>3rd Middlesex</i> |

| | |
|-----------------------------|---------------------------------------|
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> |
| <i>Kevin J. Kuros</i> | <i>8th Worcester</i> |
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> |
| <i>James R. Miceli</i> | <i>19th Middlesex</i> |
| <i>Leonard Mirra</i> | <i>2nd Essex</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> |
| <i>Mathew Muratore</i> | <i>1st Plymouth</i> |
| <i>Shaunna L. O'Connell</i> | <i>3rd Bristol</i> |
| <i>Keiko M. Orrall</i> | <i>12th Bristol</i> |
| <i>Jerald A. Parisella</i> | <i>6th Essex</i> |
| <i>Elizabeth A. Poirier</i> | <i>14th Bristol</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> |
| <i>Richard J. Ross</i> | <i>Norfolk, Bristol and Middlesex</i> |
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> |
| <i>Michael F. Rush</i> | <i>Norfolk and Suffolk</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>Aaron Vega</i> | <i>5th Hampden</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> |

HOUSE No. 1492

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 1492) of Paul McMurtry and others relative to the donations of leftover food by restaurants and cafeterias. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1504 OF 2013-2014.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
—————

An Act relative to the charitable donation of leftover food by restaurants.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, food service
2 establishments, including restaurants and cafeterias may donate their edible leftover cooked food
3 and nonperishable food to local food pantries and assistance shelters and shall be allowed to take
4 a tax credit or deduction for same. The food service establishment shall not be held liable in the
5 event of any harm resulting to a person from the ingestion of any item of donated food described
6 in this section.