

HOUSE BILL NO. 1413

Introduced by

Representatives Bahl, Bolinske, Frelich, Hager, O'Brien, Pyle, Sanford, Heilman

Senators Barta, Cory, Klein, Lee

1 A BILL for an Act to create and enact a new chapter to title 19 of the North Dakota Century
2 Code, relating to the creation of a safe food donation program.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 19 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Safe food donation program - Program participation requirements.**

- 7 1. The department shall promote a safe food donation program.
8 2. To donate food under the program, an entity must be licensed under section 23-09-16.
9 3. A charitable organization is not required to have a commercial kitchen or to be certified
10 by the department to receive food.
11 4. A charitable organization shall comply with food handling standards set by a local
12 public health unit.
13 5. A local public health unit shall:
14 a. Inspect licensed entities participating in the program;
15 b. Verify certification of an individual handling food on behalf of a charitable
16 organization; and
17 c. Establish safety guidelines and regulate the program.

18 **Protection and liability.**

- 19 1. A donor operating under this chapter is protected under subsection 2 of section
20 32-03.1-02.2, provided the donor is in compliance with established safety guidelines.
21 2. A charitable organization receiving food shall comply with safety guidelines
22 established by a local public health unit to protect a recipient's health.

23 **Implementation - Oversight - Funding.**

- 24 1. The department shall establish:

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- 1 a. Inspection procedures; and
- 2 b. Educational resources to inform participating entities about safe food donation
- 3 practices.
- 4 2. The department may establish grant and partnership opportunities to support
- 5 participating entities and encourage broad adoption of the safe food donation
- 6 program.