

By: Senator(s) Yancey, Dearing, Baria, Davis
(36th), Fillingane, Jackson (11th), Turner

To: Public Health and
Welfare

SENATE BILL NO. 2746
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE UNIVERSITY OF MISSISSIPPI MEDICAL
2 CENTER TO DONATE SURPLUS FOOD TO CHARITABLE ORGANIZATIONS AND
3 INDIVIDUALS; TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ALLOW
4 PERMITTED RESTAURANTS AND FOOD ESTABLISHMENTS TO DONATE SURPLUS
5 FOOD TO CHARITABLE ORGANIZATIONS AND INDIVIDUALS; AND FOR RELATED
6 PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** (1) The University of Mississippi Medical Center
9 is authorized to dispose of food that has been frozen or properly
10 preserved for human consumption through donation to charitable
11 facilities, charitable organizations and/or individuals providing
12 charitable services as the Medical Center deems appropriate.

13 (2) The executive director of the charitable facility or
14 organization, receiving such food, or his authorized designee,
15 shall agree to a waiver of liability in favor of the State of
16 Mississippi and the University of Mississippi Medical Center
17 stating that such donations are being provided in the condition
18 used by the State of Mississippi and the University Medical
19 Center, and without warranty of any nature.

20 **SECTION 2.** The State Department of Health is authorized to
21 allow restaurants and food establishments which have a current
22 permit issued by the department to dispose of food that has been
23 frozen or properly preserved for human consumption through
24 donation to charitable facilities, charitable organizations and/or
25 individuals providing charitable services. The executive director
26 of the charitable facility or organization receiving such food, or
27 his authorized designee, shall agree to a waiver of liability in
28 favor of the restaurant or food establishment stating that such



29 donations are being provided in the condition used by the
30 restaurant or food establishment, and without warranty of any
31 nature.

32 **SECTION 3.** This act shall take effect and be in force from
33 and after July 1, 2009.

