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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 2151** Session of  
1993

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INTRODUCED BY BAKER, FEE, PHILLIPS, GODSHALL, TIGUE, NAILOR,  
B. SMITH, RUBLEY, SCHEETZ, BUNT, SAYLOR, FLICK, EGOLF,  
MAITLAND, NICKOL, SCRIMENTI, SAURMAN, BARLEY, BELFANTI,  
SURRA, COLAIZZO, GERLACH, TRELLO, STEIL, CLARK, FARGO, NYCE,  
GEIST, GANNON, E. Z. TAYLOR, SCHULER, PETTIT, LEH, STABACK,  
HENNESSEY, HUTCHINSON, MARSICO, HASAY, BATTISTO, LAUGHLIN,  
MERRY AND KASUNIC, OCTOBER 13, 1993

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
OCTOBER 13, 1993

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AN ACT

1 Amending the act of July 10, 1981 (P.L.234, No.76), entitled "An  
2 act providing limited civil and criminal immunity to persons  
3 donating food to charitable or religious organizations for  
4 distribution to needy persons and imposing certain powers and  
5 duties on counties," providing for deer and other big game  
6 donated as food.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 3 of the act of July 10, 1981 (P.L.234,  
10 No.76), known as the Donated Food Limited Liability Act, is  
11 amended to read:

12 Section 3. Definitions.

13 The following words and phrases as used in this act shall  
14 have the meanings given them in this section unless the context  
15 clearly indicates otherwise:

16 "Big game." As defined in 34 Pa.C.S. § 102 (relating to  
17 definitions).

1 "Charitable organization." A charitable organization as  
2 defined in section 2 of the act of August 9, 1963 (P.L.628,  
3 No.337), known as the "Solicitation of Charitable Funds Act" and  
4 which has a current approved registration statement on file with  
5 the Department of State pursuant to the "Solicitation of  
6 Charitable Funds Act."

7 "Food." Any fowl, animal, vegetable or other stuff, product  
8 or article which is customary food or which is proper food for  
9 human beings. The term shall include deer or other big game, or  
10 portions thereof, taken by lawful hunting. "Food" shall  
11 specifically exclude canned goods that are rusted, leaking or  
12 swollen, or canned goods that are defective or cannot, for  
13 health reasons, otherwise be offered for sale to members of the  
14 general public.

15 Section 2. The act is amended by adding a section to read:  
16 Section 5.1. Deer or other big game donated as food.

17 Deer or other big game may be donated to, and processed,  
18 prepared and distributed by a charitable organization which  
19 serves or distributes food without cost to needy individuals in  
20 accordance with this section. The Department of Agriculture  
21 shall contract with a recognized, not for profit organization,  
22 registered with the Department of State, that will serve as  
23 program coordinator to make available information which shall  
24 include cooperating processors and charitable and religious  
25 organizations which will accept donations of deer or other big  
26 game. Processors and charitable and religious organizations may  
27 notify the program coordinator of their intention to participate  
28 in distribution of deer or other big game. The coordinator shall  
29 include them in its lists unless good cause otherwise exists.

30 Section 3. This act shall take effect in 60 days.