

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2471 Session of 2018

INTRODUCED BY SNYDER, CALTAGIRONE, J. McNEILL, STURLA, THOMAS, ZIMMERMAN, SCHLOSSBERG, YOUNGBLOOD, DRISCOLL, PASHINSKI, EVERETT, RAPP, D. MILLER, A. DAVIS, PHILLIPS-HILL, MATZIE, DALEY, READSHAW, NEILSON AND WARREN, JUNE 6, 2018

REFERRED TO COMMITTEE ON EDUCATION, JUNE 6, 2018

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in pupils and attendance, providing  
6 for shared table school nutrition initiative.

7 The General Assembly finds and declares as follows:

8 (1) One in five children suffer from food insecurity in  
9 this Commonwealth despite schools maintaining a large  
10 percentage of uneaten and eventually discarded food that  
11 could otherwise be reused.

12 (2) A new initiative called the "Shared Table"  
13 encourages a school to collect unused food that is  
14 appropriate for redistribution and discretely supply that  
15 food throughout the day to students that suffer from food  
16 insecurity or to nonprofit organizations that provide food to  
17 individuals with food insecurity.

18 (3) The Shared Table initiative has grown nationally and  
19 has become an effective method to distribute excess school

1 food while supplying food to individuals suffering from food  
2 insecurity.

3 (4) The Shared Table initiative can be as simple as  
4 designating a location in a school for food to be taken by  
5 students throughout the school day, and can provide a system  
6 which discretely allows for a student suffering from food  
7 insecurity to take home excess school food.

8 (5) Additional food is not required to be produced by a  
9 school cafeteria in order to effectively promote the Shared  
10 Table initiative. Similar initiatives have been implemented  
11 throughout the United States and have been successful in  
12 safely distributing food consistent with United States Food  
13 and Drug Administration, State and local health agency  
14 requirements.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
18 as the Public School Code of 1949, is amended by adding a  
19 section to read:

20 Section 1335.1. Shared Table School Nutrition Initiative.--

21 (a) The State Board of Education shall promulgate the rules and  
22 regulations necessary for school districts in this Commonwealth  
23 to manage and distribute excess school food consistent with  
24 guidelines of the United States Food and Drug Administration.

25 (b) The policy under subsection (a) shall provide a list of  
26 food products and methodologies for distribution that include:

27 (1) The types of food that may be distributed.

28 (2) Methods of food distribution that provide access to  
29 excess food before, during and after the school day for students  
30 to consume at school activities or to take home, which may

1 include selection of an area where food service staff, students  
2 or faculty may return appropriate food items.

3 (3) Methods in which excess food may be donated by the  
4 school district to individuals or nonprofit charitable  
5 organizations.

6 (c) The preparation, safety and donation of food under this  
7 section to a nonprofit charitable organization shall be subject  
8 to 42 Pa.C.S. § 8338 (relating to liability for damages from  
9 donated food and grocery products).

10 (d) Each school district in this Commonwealth shall  
11 establish, consistent with rules and regulations promulgated by  
12 the State Board of Education, a program to participate in the  
13 initiative under this section.

14 (e) A person authorized to dispense food under this section  
15 shall not be criminally liable if the person performs the  
16 activities in good faith and shall not be civilly liable for the  
17 activities when the person acted in a reasonable manner  
18 according to the approved practices.

19 Section 2. This act shall take effect in 60 days.