

COUNCIL OF THE DISTRICT OF COLUMBIA

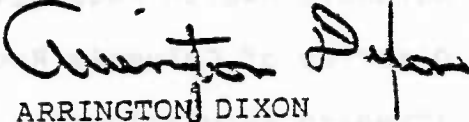
NOTICE

D.C. LAW 4-39

"Good Faith Donor and Donee Act of 1981".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-4 on first and second readings, June 16, 1981 and June 30, 1981, respectively. Following the signature of the Mayor on July 20, 1981, this legislation was assigned Act No. 4-66, published in the July 31, 1981 edition of the D.C. Register, (Vol. 28 page 3391) and transmitted to Congress on July 23, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-39, effective October 8, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	23, 24, 27, 28, 29, 30, 31
August	3, 4
September	9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30
October	1, 2, 5, 6, 7

B.C. LAY 4-30

EFFECTIVE DATE OCT 08 1981

AN ACT
D.C. ACT 4-66

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 20 1981

To limit the liability of certain persons and organizations who donate and distribute food free of charge or at a nominal cost.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Good Faith Donor and Donee Act of 1981".

Sec. 2. (a) All other provisions of law notwithstanding, a good faith donor of food which is not known or believed to be unfit for human consumption, as defined in section 8-6:102 of Title 8 of the District of Columbia Health Regulations (published as title 8 of the District of Columbia Regulations; 1962 Revision, as amended) ("Health Regulations"), at the time it is donated to a bona-fide charitable or not for profit organization shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless

CODIFICATION
D.C. Code,
title 33,
new chapter 9,
D.C. Code,
sec. 33-901
(1973 ed.)

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such injury, or death is a direct result of the gross negligence, recklessness, or intentional misconduct of such donor.

(b) All other provisions of law notwithstanding, a bona fide charitable or not for profit organization which in good faith receives and distributes food which is not known or believed to be unfit for human consumption, as defined in section 8-6:102 of Title 8 of the Health Regulations, at the time it is distributed, without charge or at a nominal charge, shall not be subject to criminal or civil liability arising from an injury or death due to the condition of such food unless such injury or death is a direct result of the gross negligence, recklessness, or intentional misconduct of such organization.

Sec. 3. Nothing in this act shall restrict the authority of the Mayor of the District of Columbia to inspect, condemn, denature, destroy, seize, or remove food for human consumption pursuant to An Act To prevent the sale of unwholesome food in the District of Columbia, approved Decemboer 16, 1941 (55 Stat. 807; D.C. Code, sec. 22-3419).

D.C. Code,
sec. 33-90
(1973 ed.)

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Sec. 4. Section 3 of An Act To prevent the sale of unwholesome food in the District of Columbia, approved December 16, 1941 (55 Stat. 807; D.C. Code, sec. 22-3418) is amended by inserting following the phrase "possessed or offered for sale" the phrase "donation, or distribution".

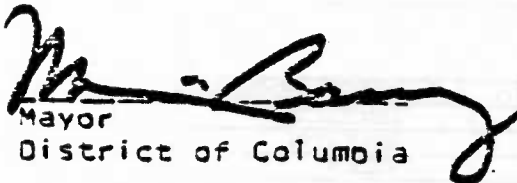
D.C. Code,
sec. 22-3418
(1973 ed.)

Sec. 5.(a) Except as provided in subsection (b), this act shall take effect after a thirty (30)-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).

(b) Section 4 shall take effect after a period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-

147(c)(2): PROVIDED, That the other provisions of the act become effective.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: July 20, 1981



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Four
First Session

DOCKET NO: B 4-4

Item on Consent Calendar

ACTION: Adopted First Reading, 6/16/81

VOICE VOTE: Unanimous

Absent: Ray and Wilson

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
GEN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					POLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

John P. Brown 7/9/81
Secretary to the Council Date

Item on Consent Calendar

ACTION: Adopted Final Reading, 6/30/81

VOICE VOTE: Unanimous

Absent: Ray and Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
GEN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					POLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

John P. Brown 7/9/81
Secretary to the Council Date

Item on Consent Calendar

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
GEN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					POLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council _____ Date