An Act

ENROLLED HOUSE
BILL NO. 1542

By: Moore, Pittman, and Newton of the House

and

Stanley of the Senate

An Act relating to torts; defining terms; providing immunity from civil liability for restaurants that donate food; providing exceptions; providing date for application of immunity to civil actions; providing for codification; and providing an effective date.

SUBJECT: Torts

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 33.1 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Food" means unserved perishable, salvageable food that has been properly preserved for human consumption; and

2. "Restaurant" means any eating establishment regardless of seating capacity including public school district cafeterias.

B. Any restaurant that, in good faith and without compensation, donates food which is prepared and subsequently donated by the restaurant shall not be liable for damages caused by the condition of the food, unless the damages by the restaurant result from an intentional act, omission, gross negligence or the restaurant knew or should have known of the condition of the food that resulted in the damages.

C. This section shall apply to all civil actions filed on or after November 1, 2023.

SECTION 2. This act shall become effective November 1, 2023.

Passed the House of Representatives the 7th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th

day of April, 20 23, at 11:44 o'clock a. M.

By: Summer Cary

Approved by the Governor of the State of Oklahoma this 19th

day of April, 20 23, at 4:00 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 19th

day of April, 20 23, at 4:44 o'clock P. M.

By: Brian Bingman