**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 45‑1‑85 SO AS TO PROVIDE THAT A RESTAURANT MAY ENTER INTO AN AGREEMENT WITH A CHURCH OR CHARITABLE ORGANIZATION THAT FEEDS NEEDY INDIVIDUALS TO DONATE SURPLUS PREPARED OR UNPREPARED FOOD ITEMS TO THE CHURCH OR CHARITABLE ORGANIZATION FOR THIS PURPOSE WITHOUT INCURRING LEGAL LIABILITY OR HEALTH CODE VIOLATIONS ABSENT GROSS NEGLIGENCE OR RECKLESSNESS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 45 of the 1976 Code is amended by adding:

“Section 45‑1‑85. (A) A restaurant may enter into an agreement with a church or charitable organization that feeds needy individuals to donate surplus prepared or unprepared food items to the church or charitable organization for this purpose without incurring legal liability or health code violations absent gross negligence or recklessness

(B) The provisions of this section are in addition to and not in lieu of any other provisions of law allowing the donation of food items for charitable purposes including the provisions of Chapter 17, Title 15.”

SECTION 2. This act takes effect upon approval by the Governor.

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