

# STATE OF NEW YORK

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5664--A

Cal. No. 778

2017-2018 Regular Sessions

## IN SENATE

April 24, 2017

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Introduced by Sens. KLEIN, ADDABBO, AVELLA, BOYLE, CARLUCCI, HOYLMAN, KENNEDY, LATIMER, MARCHIONE, MONTGOMERY, PARKER, RITCHIE, SAVINO, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law and the education law, in relation to authorizing school districts and institutions of higher education to donate excess food to local voluntary food assistance programs

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 16 of the agriculture and markets law is amended by  
2 adding a new subdivision 5-c to read as follows:

3 5-c. Cooperate with the commissioner of education, pursuant to subdi-  
4 vision thirty-two of section three hundred five of the education law, to  
5 develop guidelines for the voluntary implementation by school districts  
6 and institutions of higher education, as defined in subdivision eight of  
7 section two of the education law, of programs which encourage the  
8 donation of excess, unused, edible food from meals served at such educa-  
9 tional facilities to local voluntary food assistance programs.

10 § 2. Section 305 of the education law is amended by adding a new  
11 subdivision 32 to read as follows:

12 32. The commissioner, in consultation and cooperation with the commis-  
13 sioner of agriculture and markets, may develop voluntary guidelines to  
14 encourage and facilitate the ability of school districts and insti-  
15 tutions of higher education to donate excess, unused, edible food from  
16 meals served at such educational facilities to local voluntary food  
17 assistance programs including, but not limited to, community food  
18 pantries, soup kitchens, and other community and not-for-profit organ-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 izations that distribute food to the poor and disadvantaged. Such guide-  
2 lines developed concerning donated food shall comply with all public  
3 health laws, rules and regulations that govern food safety.

4 Such guidelines may include, but need not be limited to:

5 a. a methodology to provide information to educational institutions  
6 and local voluntary food assistance programs of the provisions of such  
7 guidelines;

8 b. a means by which educational institutions are provided with the  
9 names and addresses of all nearby local voluntary food assistance  
10 programs;

11 c. a means by which local voluntary food assistance programs are  
12 provided with the names and addresses of nearby educational institutions  
13 which serve meals upon their premises;

14 d. notification to educational institutions of their ability to elect  
15 to donate excess, unused, edible food to local voluntary food assistance  
16 programs; and

17 e. the provision of information and technical assistance on the manner  
18 of how to best donate excess food in a safe and sanitary manner.

19 The commissioner shall coordinate the implementation of such guide-  
20 lines with the farm-to-school program and the New York Harvest For New  
21 York Kids Week program established pursuant to subdivision five-b of  
22 section sixteen of the agriculture and markets law.

23 § 3. This act shall take effect on the one hundred eightieth day after  
24 it shall have become a law.