STATE OF NEW YORK

5664--B

Cal. No. 778

2017-2018 Regular Sessions

IN SENATE

April 24, 2017

Introduced by Sens. KLEIN, ADDABBO, AVELLA, BOYLE, CARLUCCI, GALLIVAN, HOYLMAN, KENNEDY, LATIMER, MARCHIONE, MONTGOMERY, PARKER, RITCHIE, SAVINO, SERRANO, VALESKY -- 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 -- again 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:

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

5-c. Cooperate with the commissioner of education, pursuant to subdivision fifty-six of section three hundred five of the education law, to develop guidelines for the voluntary implementation by school districts and institutions of higher education of programs which encourage the donation of excess, unused, edible food from meals served at such educational facilities to local voluntary food assistance programs.

§ 2. Section 305 of the education law is amended by adding a new subdivision 56 to read as follows:

56. The commissioner, in consultation and cooperation with the commissioner of agriculture and markets, may develop guidelines to encourage school districts and institutions of higher education to donate excess, unused, edible food from meals served at such educational facilities to local voluntary food assistance programs including, but not limited to, community food pantries, soup kitchens, and other community and not-for-profit organizations that distribute food to the poor and disadvantaged.

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

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Such guidelines developed concerning donated food shall comply with all federal, state and local public health laws, rules and regulations that govern food safety and food donation.

Such guidelines may include, but not be limited to:

a. a procedure to provide information to school districts, institutions of higher education and local voluntary food assistance programs of the provisions of such guidelines;

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

c. information and technical assistance on how school districts and institutions of higher education may best donate excess food in a safe and sanitary manner.

The commissioner shall coordinate the implementation of such guidelines with the farm-to-school program established pursuant to subdivision five-b of section sixteen of the agriculture and markets law.

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