

2016 -- S 2411

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY

Introduced By: Senators Morgan, Lombardi, Pagliarini, Algieri, and Gee

Date Introduced: February 11, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-27.1 of the General Laws in Chapter 9-1 entitled "Causes of
2 Action" is hereby amended to read as follows:

3 **9-1-27.1. Good Samaritan -- Immunity from liability.** – (a) No person who voluntarily
4 and gratuitously renders emergency assistance to a person in need thereof including the
5 administration of life saving treatment to those persons suffering from anaphylactic shock shall
6 be liable for civil damages which result from acts or omissions by such persons rendering the
7 emergency care, which may constitute ordinary negligence. This immunity does not apply to acts
8 or omissions constituting gross negligence or willful or wanton conduct.

9 (b) No person who voluntarily and gratuitously donates food or wild game to a food
10 pantry, food bank, the Rhode Island department of environmental management, or to a person in
11 need shall be liable for civil or criminal damages which result from acts or omissions by such
12 persons rendering the assistance and donations of food or game, which may constitute ordinary
13 negligence, as long as the person acted in good faith. This immunity does not apply to acts or
14 omissions constituting gross negligence or willful or wanton conduct.

15 (c) No person who provides, collects or gathers food pursuant to subsection (b) of this
16 section shall be subject to civil or criminal liability arising from the nature, age, packaging or
17 condition of apparently wholesome food or an apparently fit grocery product that the person
18 donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.

19 (d) No nonprofit organization shall be subject to civil or criminal liability arising from the

1 [nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery](#)
2 [product that the nonprofit organization received as a donation in good faith from any person or](#)
3 [organization for ultimate distribution to needy individuals.](#)

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide immunity to any person that provides food or wild game to a food
2 pantry, food bank or DEM for ultimate distribution to needy individuals. This immunity would
3 not extend to gross negligence or willful or wanton conduct.

4 This act would take effect upon passage.

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