

2020 Regular Session

HOUSE BILL NO. 35

BY REPRESENTATIVE SCHEXNAYDER

LIABILITY: Provides a limitation of liability for donating certain wild game

1 AN ACT

2 To amend and reenact R.S. 9:2799(A)(2), relative to limitations of liability for damages
3 from donated food; to provide for the limitation of liability for donating wild game;
4 to provide for the definition of "wild game"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2799(A)(2) is hereby amended and reenacted to read as follows:

7 §2799. Limitation of liability for damages from donated food

8 A.

9 * * *

10 (2) No person shall have a cause of action against a food bank or its
11 designated distributors, or against the donor of wild game, for any damages arising
12 from or caused by the wild game, including the condition of the wild game, which
13 is distributed directly or for redistribution by a food bank or its designated
14 distributors, to persons who are needy, ill, or have a disability, infants or seniors, or
15 to individuals or families who need emergency food assistance, unless the damages
16 resulted from an intentional act or omission of the food bank, its designated
17 distributor, or donor. For purposes of this Paragraph, "wild game" means all game
18 fish, migratory and resident game birds, feral hogs, and game quadrupeds, as defined
19 in R.S. 56:8.

20 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 35 Original

2020 Regular Session

Schexnayder

Abstract: Adds the donation of feral hogs to the limitation of liability for certain donations of wild game.

Present law provides a limitation of liability for designated distributors of a food bank, or against the donor of wild game, for any damages arising from or caused by the wild game, including the condition of the wild game, which is distributed directly or for redistribution by food banks or their designated distributors to the needy, ill, disabled, infants or seniors, or to individuals or families who need emergency food assistance, unless the damages resulted from an intentional act or omission of the food bank, its designated distributor, or donor.

Proposed law retains present law.

Present law defines "wild game" as all game fish, migratory and resident game birds, and game quadrupeds.

Proposed law adds feral hogs to the definition of "wild game".

(Amends R.S. 9:2799(A)(2))