

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1519

---

AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 34-6-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. "Agricultural product", for purposes of IC 34-30-3 **and IC 34-30-5**, means a natural product of a farm, a nursery, a grove, an orchard, a vineyard, a garden, or an apiary. The term includes trees and firewood.

SECTION 2. IC 34-6-2-74.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 74.1. "Livestock" for purposes of IC 34-30-5, has the meaning set forth in IC 15-19-5-3.**

SECTION 3. IC 34-30-5-1, AS AMENDED BY P.L.42-2011, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. **(a) Except as provided in subsection (b)**, a person who in good faith makes a gift of a food item, **an agricultural product, or livestock** to a charitable entity is not liable for civil damages arising from the use, condition, quality, or content of that food item, **agricultural product, or livestock**, unless the damages are the result of that person's intentional, knowing, or reckless misconduct (in accordance with the definitions of intentionally, knowingly, and recklessly set out in IC 35-41-2-2(a) through IC 35-41-2-2(c)).

**(b) This section does not apply to a person who makes a gift of a food item to a charitable entity if the use, condition, or quality of the food item results in damages from the person's intentional,**



C  
O  
P  
Y

knowing, or reckless violation of a food safety law under IC 15-17-5, IC 15-18-1, or IC 16-42 (in accordance with the definitions of intentionally, knowingly, and recklessly set out in IC 35-41-2-2(a) through IC 35-41-2-2(c)).

SECTION 4. IC 34-30-5-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2. A charitable entity that in good faith receives a gift of a food item, an agricultural product, or livestock is not liable for civil damages arising from the use, condition, quality, or content of that food item, agricultural product, or livestock, unless the damages are the result of that entity's intentional, knowing, or reckless misconduct (in accordance with the definitions of intentionally, knowingly, and recklessly set out in IC 35-41-2-2(a) through IC 35-41-2-2(c)).**

C  
o  
p  
y



\_\_\_\_\_  
Speaker of the House of Representatives

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
President Pro Tempore

\_\_\_\_\_  
Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

C  
o  
p  
y

HEA 1519 — Concur+

