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# HOUSE BILL No. 1519

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-6-2; IC 34-30-5.

**Synopsis:** Donations of agricultural products and livestock. Adds agricultural products and livestock to the items for which a person, who in good faith donates the item to a charitable entity, is not liable for civil damages unless the damages are the result of that person's intentional, knowing, or reckless misconduct. Provides that 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 its use, condition, quality, or content unless the damages are the result of that entity's intentional, knowing, or reckless misconduct.

**Effective:** July 1, 2013.

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### Smith M

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January 22, 2013, read first time and referred to Committee on Judiciary.

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First Regular Session 118th General Assembly (2013)

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.

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## HOUSE BILL No. 1519

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

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

- 1 SECTION 1. IC 34-6-2-8 IS AMENDED TO READ AS FOLLOWS
- 2 [EFFECTIVE JULY 1, 2013]: Sec. 8. "Agricultural product", for
- 3 purposes of IC 34-30-3 **and IC 34-30-5**, means a natural product of a
- 4 farm, a nursery, a grove, an orchard, a vineyard, a garden, or an apiary.
- 5 The term includes trees and firewood.
- 6 SECTION 2. IC 34-6-2-74.1 IS ADDED TO THE INDIANA CODE
- 7 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2013]: **Sec. 74.1. "Livestock" for purposes of IC 34-30-5, has the**
- 9 **meaning set forth in IC 15-19-5-3.**
- 10 SECTION 3. IC 34-30-5-1, AS AMENDED BY P.L.42-2011,
- 11 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2013]: Sec. 1. A person who in good faith makes a gift of a
- 13 food item, **an agricultural product, or livestock** to a charitable entity
- 14 is not liable for civil damages arising from the use, condition, quality,
- 15 or content of that food item, **agricultural product, or livestock**, unless
- 16 the damages are the result of that person's intentional, knowing, or
- 17 reckless misconduct (in accordance with the definitions of



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

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