

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2566

Chapter 25, Laws of 1994

53rd Legislature
1994 Regular Session

DONORS AND DISTRIBUTORS OF ITEMS TO CHILDREN--CIVIL AND
CRIMINAL IMMUNITY

EFFECTIVE DATE: 6/9/94

Passed by the House February 9, 1994
Yeas 96 Nays 0

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate February 26, 1994
Yeas 45 Nays 2

JOEL PRITCHARD
President of the Senate

Approved March 21, 1994

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2566** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER
Chief Clerk

FILED

March 21, 1994 - 11:27 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2566

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Dyer, Lisk, B. Thomas, Brough, Brumsickle, Talcott, Long, Mielke, Cooke and Wood)

Read first time 02/04/94.

1 AN ACT Relating to children's charitable needs; and adding a new
2 chapter to Title 70 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Unless the context clearly requires
5 otherwise, the definitions in this section apply throughout this
6 chapter.

7 (1) "Distributing organization" means a charitable nonprofit
8 organization under 26 U.S.C. Sec. 501(c) of the federal internal
9 revenue code which distributes children's items to needy persons free
10 of charge and includes any nonprofit organization that distributes
11 children's items free of charge to other nonprofit organizations or the
12 public.

13 (2) "Donor" means a person, corporation, association, or other
14 organization that donates children's items to a distributing
15 organization or a person, corporation, association, or other
16 organization that repairs or updates such donated items to current
17 standards. Donor also includes any person, corporation, association,
18 or other organization which donates any space in which storage or
19 distribution of children's items takes place.

1 (3) "Children's items" include, but are not limited to, clothes,
2 diapers, food, baby formula, cribs, playpens, car seat restraints,
3 toys, high chairs, and books.

4 NEW SECTION. **Sec. 2.** Donors and distributing organizations are
5 not liable for civil damages or criminal penalties resulting from the
6 nature, age, condition, or packaging of the donated children's items
7 unless a donor or distributing organization acts with gross negligence
8 or intentional misconduct.

9 NEW SECTION. **Sec. 3.** Nothing in this chapter may be construed to
10 create any liability of, or penalty against a donor or distributing
11 organization except as provided in section 2 of this act.

12 NEW SECTION. **Sec. 4.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act shall
17 constitute a new chapter in Title 70 RCW.

Passed the House February 9, 1994.

Passed the Senate February 26, 1994.

Approved by the Governor March 21, 1994.

Filed in Office of Secretary of State March 21, 1994.