

CERTIFICATION OF ENROLLMENT

HOUSE BILL XXXX

53rd Legislature
1994 Regular Session

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

**Speaker of the
House of Representatives**

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

President of the Senate

Approved

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 **HOUSE BILL XXXX** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2566

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Dyer, Lisk, B. Thomas, Brough, Brumsickle, Talcott, Long, Mielke, Cooke and Wood

Read first time 01/17/94. Referred to Committee on Judiciary.

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.** The legislature of the state of Washington
5 finds that it is in the interest of the state to promote the free
6 charitable distribution of childrens' items to needy persons, to
7 promote recycling of used childrens' items, and to provide liability
8 protection for persons and organizations donating or distributing such
9 childrens' items.

10 NEW SECTION. **Sec. 2.** Unless the context clearly requires
11 otherwise, the definitions in this section apply throughout this
12 chapter.

13 (1) "Distributing organization" means a charitable nonprofit
14 organization under 26 U.S.C. Sec. 501(c) of the federal internal
15 revenue code which distributes childrens' items to needy persons free
16 of charge and includes any nonprofit organization that distributes
17 childrens' items free of charge to other nonprofit organizations or the
18 public.

1 (2) "Donor" means a person, corporation, association, or other
2 organization that donates childrens' items to a distributing
3 organization or a person, corporation, association, or other
4 organization that repairs or updates such donated items to current
5 standards. Donor also includes any person, corporation, association,
6 or other organization which donates any space in which storage or
7 distribution of childrens' items takes place.

8 (3) "Childrens' items" include, but are not limited to, clothes,
9 diapers, food, baby formula, cribs, playpens, car seat restraints,
10 toys, high chairs, and books.

11 NEW SECTION. **Sec. 3.** Donors and distributing organizations are
12 not liable for civil damages or criminal penalties resulting from the
13 nature, age, condition, or packaging of the donated childrens' items
14 unless a donor or distributing organization acts with gross negligence
15 or intentional misconduct.

16 NEW SECTION. **Sec. 4.** Nothing in this chapter may be construed to
17 create any liability of, or penalty against a donor or distributing
18 organization except as provided in section 3 of this act.

19 NEW SECTION. **Sec. 5.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act shall
24 constitute a new chapter in Title 70 RCW.

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