WEST VIRGINIA CODE: §16-5S-9A

§16-5S-9a. Shared table initiative for senior citizens.

(a) The Legislature finds and determines that:

(1) The enactment of §18-5D-5 of this code, creating the shared table initiative in West Virginia Schools has been a major success;

(2) Shared table initiatives can be successful in other settings;

(3) Senior citizens are often some of our most vulnerable citizens; and

(4) There is no reason for food already produced by senior centers and other services aiding seniors to be wasted when that could help improve the living conditions of senior citizens in need.

(b) Therefore, the purpose of this section is to establish a statewide initiative to facilitate shared tables at senior centers and similar facilities where congregate meals are provided to seniors in need. The Bureau for Senior Services shall promulgate a rule in accordance with §29A-3B-1, *et seq.* of this code that provides guidelines to senior centers and other locations where congregate meals are provided to senior citizens on the management and distribution of excess food consistent with state and county health department and United States Food and Drug Administration requirements and guidelines for the distribution of excess food. The guidance policy at a minimum shall provide a list of food products and methodologies for distribution that include, but are not limited to:

(1) The types of foods that may be distributed;

(2) Methods of distribution to make excess food available;

(3) Methods of distributing excess food to persons or organizations providing food to seniors suffering from food insecurity; and

(4) Methods to otherwise donate excess food to persons or organizations providing food to persons or families suffering from food insecurity.

(c) The preparation, safety, and donation of food made available to senior citizens during a congregate meal and donated to a food bank or any other nonprofit charitable organization for distribution shall comply with and be thereby covered by the Good Samaritan Food Donation Act, §55-7D-1 *et seq.* of this code.

(d) The methods of distributing excess food to senior citizens may include a sharing table where food service staff, senior citizens, and volunteers may return appropriate food items consistent with the promulgated rule to make those food items available to senior citizens

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during the day.

(e) The Bureau for Senior Services may coordinate with the State Department of Education to obtain best practices advice on implementation and the rules promulgated by the Bureau for Senior Services may require some or all locations where congregate meals are served to senior citizens to participate in the shared table initiative.

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