

(D)--THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE CONSTRUCTION, REMODELING, OR ALTERATION OF ANY AREAS IN A FOOD ESTABLISHMENT USED SOLELY FOR OFFICE SPACE OR RECREATIONAL AREAS.

4-322.

(A)--THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE STATE DEPARTMENT OF AGRICULTURE MAY:

(1)--INSPECT FOR WHOLESOMENESS ANY FOOD DONATED TO A CHARITABLE NONPROFIT CORPORATION, ORGANIZATION, OR ASSOCIATION, AND

(2)--ESTABLISH PROCEDURES FOR HANDLING FOOD DONATED TO ANY NONPROFIT CORPORATION, ORGANIZATION, OR ASSOCIATION.

(B)--(1)--THE EXEMPTION PROVIDED FOR IN THIS SUBSECTION DOES NOT APPLY TO ANY PERSON WHO DONATES FOOD TO A NONPROFIT CORPORATION, ORGANIZATION, OR ASSOCIATION THAT SELLS OR OFFERS FOR SALE ANY DONATED FOOD.

(2)--UNLESS THE ACT OR OMISSION AMOUNTS TO GROSS NEGLIGENCE OR WILFUL AND WANTON MISCONDUCT, A PERSON WHO IN GOOD FAITH DONATES FOOD FOR USE OR DISTRIBUTION BY A NONPROFIT CORPORATION, ORGANIZATION, OR ASSOCIATION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION THAT AFFECTS THE NATURE, AGE, CONDITION, OR PACKAGING OF THE DONATED FOOD.

4-323.

(A)--IN THIS SECTION, "GROUP HOME" MEANS A FOSTER HOME, EMERGENCY SHELTER, OR FAMILY-TYPE RESIDENTIAL FACILITY FOR CHILDREN THAT IS:

(1)--SPONSORED BY A PUBLIC OR PRIVATE AGENCY, AND

(2)--SUPERVISED BY FOSTER PARENTS, HOUSE PARENTS, OR COUNSELORS.

(B)--ANY GROUP HOME IS EXEMPT FROM ANY REGULATION GOVERNING FOOD SERVICE FACILITIES THAT IS ADOPTED BY THE DEPARTMENT OR A LOCAL GOVERNMENT, IF THE GROUP HOME:

(1)--AT NO TIME HAS MORE THAN 14 RESIDENTS INCLUDING HOUSE PARENTS AND SUPERVISORY, PROFESSIONAL, AND CUSTODIAL STAFF MEMBERS, AND

(2)--HAS AMONG ITS RESIDENT CHILDREN ONLY CHILDREN PLACED IN THE GROUP HOME BY A COURT, A LICENSED CHILD PLACEMENT AGENCY, OR A GOVERNMENT AGENCY, INCLUDING A LOCAL DEPARTMENT OF SOCIAL SERVICES.

(C)--EACH GROUP HOME THAT IS INTENDED FOR NO MORE THAN 14 RESIDENTS SHALL BE REGISTERED WITH THE HEALTH OFFICER FOR THE