

AMENDMENT TO RULES COMMITTEE PRINT

119-33

OFFERED BY MRS. KIM OF CALIFORNIA

Add at the end of subtitle B of title XVII the following:

1 **SEC. 17 ____ . BRING ANIMALS RELIEF AND KIBBLE ACT OF**
2 **2026.**

3 (a) LIABILITY FOR DAMAGES FROM GOOD FAITH
4 DONATIONS OF PET FOOD AND SUPPLIES.—

5 (1) LIABILITY OF PERSONS.—A person shall
6 not be subject to civil or criminal liability arising
7 from the nature, age, packaging, or condition of an
8 apparently fit pet-related product that the person
9 donates in good faith to a State or unit of local gov-
10 ernment or a nonprofit organization for ultimate dis-
11 tribution to qualified animals.

12 (2) LIABILITY OF NONPROFIT ORGANIZA-
13 TIONS.—A nonprofit organization shall not be sub-
14 ject to civil or criminal liability arising from the na-
15 ture, age, packaging, or condition of an apparently
16 fit pet-related product that the nonprofit organiza-
17 tion received as a donation from a person in good
18 faith for ultimate distribution to qualified animals.

1 (3) LIABILITY OF STATE AND LOCAL GOVERN-
2 MENTS.—A State or unit of local government shall
3 not be subject to liability arising from the nature,
4 age, packaging, or condition of an apparently fit pet-
5 related product that the State or unit of local gov-
6 ernment received as a donation from a person in
7 good faith for ultimate distribution to qualified ani-
8 mals.

9 (4) WAIVER NOT APPLICABLE TO GROSS NEG-
10 LIGENCE OR INTENTIONAL MISCONDUCT.—Para-
11 graphs (1), (2), and (3) shall not apply to an injury
12 to, or death of, an ultimate user or recipient of the
13 apparently fit pet-related product that results from
14 an act or omission of the person, nonprofit organiza-
15 tion, or State or unit of local government, as appli-
16 cable, constituting gross negligence or intentional
17 misconduct.

18 (b) PARTIAL COMPLIANCE.—If a person donates in
19 good faith pet food or pet supplies that do not meet all
20 quality and labeling standards imposed by Federal, State,
21 and local laws and regulations, such person shall not be
22 subject to civil or criminal liability in accordance with this
23 section if the State or unit of local government or non-
24 profit organization to which the food or supplies are do-
25 nated—

1 (1) is informed by such person of the distressed
2 or defective condition of the food or supplies;

3 (2) agrees to recondition such food or supplies
4 to comply with such quality and labeling standards
5 prior to distribution of such food or supplies; and

6 (3) is knowledgeable of such quality and label-
7 ing standards to properly recondition such food or
8 supplies.

9 (c) CONSTRUCTION.—Nothing in this section shall be
10 construed to—

11 (1) create any liability; or

12 (2) supercede State or local health regulations.

13 (d) DEFINITIONS.—In this section:

14 (1) APPARENTLY FIT PET-RELATED PROD-
15 UCT.—The term “apparently fit pet-related product”
16 means any pet food or pet supply that meets all
17 quality and labeling standards imposed by Federal,
18 State, and local laws and regulations even though
19 the product may not be readily marketable due to
20 appearance, age, freshness, grade, size, surplus, or
21 other conditions.

22 (2) CHILD NUTRITION ACT OF 1966 TERMS.—
23 The terms “donate”, “gross negligence”, “inten-
24 tional misconduct”, “nonprofit organization”, and
25 “person” have the meanings given such terms in sec-

1 tion 22(b) of the Child Nutrition Act of 1966 (42
2 U.S.C. 1791(b)).

3 (3) EMOTIONAL SUPPORT ANIMAL.—The term
4 “emotional support animal” means an animal that—

5 (A) is covered by the exclusion specified in
6 section 5.303 of title 24, Code of Federal Regu-
7 lations (or successor regulation); and

8 (B) is not a service animal.

9 (4) PET.—The term “pet” means a domes-
10 ticated animal, such as a dog, cat, bird, rodent, fish,
11 turtle, or other animal that is kept for pleasure rath-
12 er than for commercial purposes.

13 (5) PET FOOD.—The term “pet food” means
14 any raw, cooked, processed, or prepared edible sub-
15 stance, ice, beverage, or ingredient used or intended
16 for use in whole or in part for consumption by a
17 qualified animal.

18 (6) PET SUPPLY.—The term “pet supply”
19 means tangible personal property used for qualified
20 animals, including pet carriers, crates, kennels,
21 houses, cages, clothing, bedding, toys, collars,
22 leashes, leads, tie-outs, feeders, bowls, dishes, pet
23 gates, or pet doors.

1 (7) QUALIFIED ANIMAL.—The term “qualified
2 animal” means a pet, an emotional support animal,
3 or a service animal.

4 (8) SERVICE ANIMAL.—The term “service ani-
5 mal” has the meaning given the term in section
6 36.104 of title 28, Code of Federal Regulations (or
7 successor regulation).

8 (e) SHORT TITLE.—This section may be cited as the
9 “Bring Animals Relief and Kibble Act of 2026” or the
10 “BARK Act of 2026”.

