



**HB1084 Catastrophic Health Emergencies – Immunity From Civil Liability  
Judiciary Community  
March 3, 2021**

**Position:** Favorable

**Background:** HB1084 would provide immunity to certain businesses against claims for damages caused by certain instances of failure to comply with guidance regarding catastrophic health emergencies.

**Comments:** HB1084 would provide protections for diligent businesses against certain negligence claims for damages caused during catastrophic health emergencies. Businesses across the state, particularly essential businesses that have remained open through months of restrictions in order to serve their communities, have been doing everything they can to protect their customers and their employees against the COVID-19 novel coronavirus. During the past year, they have been tasked with complying with conflicting guidance from the state and local levels, with multijurisdictional operators having to constantly track varying requirements between store locations.

The Maryland Retailers Association (MRA) believes that businesses that have attempted to follow the letter of the law and comply with operating directives during the State of Emergency should not be responsible for exposures that may have occurred despite efforts to operate safely. Efforts to protect the public, including requiring additional cleaning and sanitation, setting up floor markers and one-way aisles, installing sneeze guards at check-out areas, door counting to restrict occupancy, and providing PPE for employees, have driven up operating costs for businesses that are already suffering due to social restrictions. MRA agrees that bad apples should always be held accountable for their actions; however, businesses that have done their best to follow guidance and protect their employees and customers despite conflicting instructions should not have to fear civil claims for exposures that may have occurred despite their best efforts.

Thank you for your consideration, and we urge a favorable report on HB1084.