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Local Government and
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HB1106, Civil Actions – Immunity from Liability – COVID-19 Exposure.

I am pleased to present HB1106. I know that there are several bill iterations introduced this Legislative session seeking to limit liability due to exposure to COVID-19.

At the time of researching this topic, a number of states (13) had already enacted legislation to limit civil liability for COVID-19 related claims – some enacted broad protections and others only provided limited liability for healthcare facilities or providers.

There are several aspects of this bill that may differ from others being considered.

HB1106 specifies that an owner, lessee, or a tenant of a premises is not civilly liable – so it applies to more than just a business owner or business property – it applies to all premises. The bill also limits the liability if said individual ‘acted in good faith’ to follow health guidelines; other versions provide liability protection if ‘not grossly negligent’.

Some States have also made the protections retroactive to the beginning of the pandemic. If the Committee is inclined to move the legislation forward, I would be willing to offer that amendment as well.

Without such legislation being enacted, I am fearful that our courts will be inundated with lawsuits surrounding the COVID-19 pandemic, and I ask for a favorable report on HB1106.

Thank you.