



520 West Fayette St., Baltimore, MD 21201
410-685-7878 | 800-492-1964
fax 410-685-1016 | tdd 410-539-3186
msba.org

To: Members of the House Judiciary Committee

From: Richard A. Montgomery III
Director of Legislative & Governmental Relations

Date: March 3, 2021

Subject: **House Bill 1106 - Civil Actions – Immunity from Liability – COVID–19 Exposure**

Position: **Oppose**

The Maryland State Bar Association (MSBA) opposes **House Bill 1106 - Catastrophic Health Emergencies - Immunity from Civil Liability**. House Bill 1106 would provide that any owner, a lessee, or a tenant of a premises is not civilly liable for any act or omission resulting in injury or death relating to exposure or alleged exposure to Covid-19 on the premises if the owner, lessee, or tenant, or an agent of the owner, lessee, or tenant, acted in good faith to follow and enforce on the premises all federal, state, and local health guidelines applicable at the time of the exposure or alleged exposure. Moreover, the bill would provide for retroactive application of the Act.

While the MSBA believe that this measure is well-intended, we believe that the immunity provisions contained in the bill are overly broad and would serve to preemptively deny injured individuals potential redress through the legal system. Further, we find that the retroactive application of this measure would strip injured individuals of rights that they currently possess and are seeking justice.

Accordingly, the MSBA opposes House Bill 1106 and urges an Unfavorable Committee Report. Should you have any questions, please contact MSBA Legislative Director, Richard Montgomery at (410) 269-6464 or at richard@msba.org