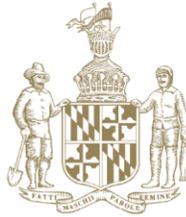


APRIL ROSE  
Legislative District 5  
Carroll County

Ways and Means Committee  
Education Subcommittee  
Finance Resources Subcommittee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Support House Bill 1084**

**Catastrophic Health Emergencies – Immunity from Civil Liability**

**House Judiciary Committee**

Chair Clippinger, Vice Chair Atterbeary and Members of the House Judiciary Committee

Thank you for the opportunity to introduce HB 1084 entitled “Catastrophic Health Emergencies – Immunity from Civil Liability.”

The intent of this bill is to shield small businesses, private schools, churches and other nonprofit organizations that have already been *hard-hit* by the COVID 19 Pandemic from being further *bled dry* by lawsuits resulting from innocent and minor noncompliance with the *hodgepodge of confusing and often contradictory* State and county health orders issued during the Pandemic.

Why is this bill needed? Currently, a violation of statute, ordinance or executive order or administrative rule is on its face evidence of negligence. Without the Bill, small businesses, private schools and churches doing *their level best* to comply with all State and county and local Pandemic mandates will be at risk of having to pay to defend against lawsuits for innocent and minor violations of health orders issued during the Pandemic.

HB1084 shields private schools, churches, small businesses and other nonprofits from *expensive and time-consuming litigation* by granting them immunity from lawsuits so long as noncompliance with the myriad public health orders issued during the Pandemic was not willful or due to gross negligence. Further, the Bill shifts the burden to the plaintiff to prove that noncompliance was willful or grossly negligent by clear and convincing evidence (a higher standard than the usual preponderance of the evidence).

Anyone who runs a small business or nonprofit can tell you that the cost of just defending a lawsuit can *bleed you dry* and put you out of business, *even if you win*. Shifting the burden of proof and requiring a higher standard of evidence will discourage the filing of such lawsuits altogether.

Thank you for your time and consideration, and again I ask for a **favorable** report on **HB 1084**.

Respectfully,

A handwritten signature in blue ink that reads "April Rose".

Delegate April Rose

[Type here]