



NOTE: This survey is intended to catalogue statutes, proposed legislation and executive orders directed toward limiting liability for COVID-19 exposure and illness claims. It is not limited to laws expressly or exclusively directed to employees. Other forms of commercial liability, for example, liability to customers and occupants and certain forms of product liability, are also addressed. Finally, in the rare case where a jurisdiction has taken action to expand potential liability, those items have been included. However, two subjects of legislation and executive action have been intentionally excluded from this survey, those being (1) liability shields for healthcare providers and (2) efforts to broaden and/or narrow the scope of compensability for Workers' Compensation purposes. The former are excluded because they broadly address medical malpractice claims (which are not within the scope of the Firm's practice) and because they are common enough that inclusion would add a potentially distracting amount of ancillary content. The latter are excluded because Workers' Compensation is addressed in the Firm's "50-State Workers' Compensation Coverage Survey-COVID-19 Context".

Jurisdiction	Has legislation or other action been implemented?	Useful Links
Alabama	Yes, legislation is pending (SB 330) that would bar all tort claims (including by employees) for COVID-19 exposure/illness with exceptions for grossly negligent and intentional conduct, which must be proven by clear and convincing evidence. Non-economic and punitive damages are prohibited unless a "serious physical injury" is proven, while damages for wrongful death limited to punitive damages, only. The bill is in committee pending 3rd reading. The Senate is presently adjourned sine die. An executive order issued 5/8/20 contains substantively similar provisions.	<a href="https://legiscan.com/AL/text/SB330/2020">https://legiscan.com/AL/text/SB330/2020</a>
Alaska	Yes, SB 241 was signed into law 5/18/20 and extends various liability protections, including protection for manufacturers of personal protective equipment that is made to be used during the COVID-19 pandemic.	<a href="https://legiscan.com/AK/bill/SB241/2019">https://legiscan.com/AK/bill/SB241/2019</a>
Arizona	Yes, legislation is pending (HB2912) that would bar claims for exposure/illness based on negligence, strict liability and premises liability; except for claims for gross negligence proven by clear and convincing evidence. The bill has passed the House and has been transmitted to the Senate, which is presently adjourned sine die.	<a href="https://legiscan.com/AZ/text/HB2912/2020">https://legiscan.com/AZ/text/HB2912/2020</a>
Arkansas	No. However, an executive order issued 6/15/20 exempts all persons and entities from tort liability for illness or injury due to exposure to COVID-19, except in cases of willful, reckless or intentional misconduct. The order includes a presumption against willful, reckless or intentional misconduct where a party has substantially complied with state health directives/guidance or acted in good faith while attempting to do so.	<a href="https://governor.arkansas.gov/images/uploads/executiveOrders/EO_20-33.pdf">https://governor.arkansas.gov/images/uploads/executiveOrders/EO_20-33.pdf</a>
California	Yes, legislation is pending (AB2489) that would eliminate the "ABC test" for employee versus independent contractor analysis for respiratory therapists & other medical personnel, presumably making it easier to classify an individual as an independent contractor and not an employee. The bill has been returned to the Committee on Labor and Employment, Senate (SB 806), which contains similar provisions, failed passage in committee, but reconsideration has been granted. Newly introduced legislation (AB1759) would provide immunity to institutions of higher learning from claims arising from COVID-19 exposure or injury, as well as from claims for economic damages arising from measures taken in response to the pandemic. The legislation contains exemptions for gross negligence, and willful, reckless and intentional conduct, but those exceptions can be rebutted by proof of compliance with identified public guidance. The bill expressly excepts from application employee claims that would otherwise be subject to the workers' compensation exclusive remedy, but expressly embraces claims by employees arising from activities not within the course and scope of employment. AB1384 would provide similar protections to "local educational agencies", such as public school districts. AB1035 would provide protections to small businesses (defined as 25 or fewer employees) that adhere to safety and health guidelines, subject to exceptions for grossly negligent, willful or intentional conduct.	<a href="https://legiscan.com/CA/bill/AB2489/2019;https://legiscan.com/CA/bill/SB806/2019">https://legiscan.com/CA/bill/AB2489/2019;https://legiscan.com/CA/bill/SB806/2019</a>
Colorado	No.	N/A
Connecticut	No.	N/A
Delaware	Yes, legislation is pending (HB359) that would provide immunity to owners/operators of premises against claims for exposure to COVID-19 while on such premises or while engaged in activities managed by such owner/operator. Exceptions are made for intentional, reckless and willful misconduct. The bill does not apply to claims under DE's workers' compensation or occupational health programs.	<a href="https://legiscan.com/DE/text/HB359/2019">https://legiscan.com/DE/text/HB359/2019</a>
District of Columbia	No.	N/A
Florida	No.	N/A
Georgia	Yes, the Georgia COVID-19 Pandemic Business Safety Act (SB359) became effective on August 5.. The Act provides immunity from COVID-19 related liability to, among others, commercial, non-profit and public entities, and individuals, with exceptions for gross negligence, willful and wanton misconduct, and reckless or intentional infliction of harm. Additionally, the Act provides a rebuttable presumption of assumed risk in favor of premises owners that provide a statutorily prescribed notice on either a posting or on an admission ticket or other written proof of purchase for entry..	<a href="https://legiscan.com/GA/bill/SB359/2019">https://legiscan.com/GA/bill/SB359/2019</a>
Hawaii	No.	N/A

Idaho	Yes. HB 529, enacted as Chapter 3, Title 5-345, provides immunity for architects, engineers, and contractors for losses (wrongful death, personal injury, property damage, etc.) related to work provided by the professional at the request or approval of a national, state, or local public official in response to a declared national, state, or local emergency, a disaster, or a catastrophic event. HB 2, the "COVID-19 Limited Immunity Act" was introduced on August 24, 2020 and is in committee. The bill would add to existing law to provide limited immunity to any person from civil liability for damages or an injury resulting from exposure of an individual to coronavirus on the premises owned or operated by the person or during an activity managed by the person. HB 3 was introduced on August 24, 2020 and is in committee. HB 3 would provide certain liability protections for educational institutions for claims arising from the transmission or contraction of COVID-19. HB 4 was introduced on August 24, 2020 and is in committee. HB 4 would provide immunity from civil liability broadly to public and private entities for actions taken in good faith to address or ameliorate a coronavirus-related disaster. HB 5 was introduced on August 24, 2020 and is in committee. HB 5 would provide immunity from civil liability during a declared disaster or emergency to a person who acts during a disaster or emergency that is occasioned by a coronavirus related pandemic in an effort to mitigate the disaster. HB 6 was signed by the Governor on August 27, 2020 and adopted as 6-3401 of the Idaho Code. The "Coronavirus Limited Immunity Act" provides that a person is immune from civil liability for damages or injury resulting from exposure of an individual to coronavirus.	<a href="https://legiscan.com/ID/bill/H0529/2020">https://legiscan.com/ID/bill/H0529/2020</a> ; <a href="https://legiscan.com/ID/bill/H0002/2020/X1">https://legiscan.com/ID/bill/H0002/2020/X1</a> ; <a href="https://legiscan.com/ID/bill/H0003/2020/X1">https://legiscan.com/ID/bill/H0003/2020/X1</a> ; <a href="https://legiscan.com/ID/bill/H0004/2020/X1">https://legiscan.com/ID/bill/H0004/2020/X1</a> ; <a href="https://legiscan.com/ID/bill/H0005/2020/X1">https://legiscan.com/ID/bill/H0005/2020/X1</a> ; <a href="https://legiscan.com/ID/bill/H0006/2020/X1">https://legiscan.com/ID/bill/H0006/2020/X1</a>
Illinois	Yes, SB 3989, the "COVID-19 Immunity Act", is in committee. The bill would provide that "any individual, business, or unit of local government shall not be liable for any civil damages for any acts or omissions that result in the transmission of COVID-19, other than damages occasioned by willful and wanton misconduct by the individual, business, or local unit of government."	<a href="https://legiscan.com/IL/bill/SB3989/2019">https://legiscan.com/IL/bill/SB3989/2019</a>
Indiana	No.	N/A
Iowa	Yes. SB2338, the "COVID-19 Response and Back-to-Business Limited Liability Act" has passed the House and Senate and was signed by the governor on 6/18/2020. The bill went into effect on 7/1/2020 and will be retroactive to 1/1/2020. and provides that a civil action for exposure to COVID-19 may only be asserted if: (1) the suit relates to a minimum medical condition; (2) the suit involves an act that was intended to cause harm; or (3) the suit involves an act that constitutes actual malice. It further provides that a premises owner (including tenants, lessees, and occupants) cannot be liable for civil damages for any injuries sustained from an individual's exposure to COVID-19 on the premises, or during any activity managed by the person who possess/s/is in control of the premises, unless the person in control of the premise: (1) recklessly disregards risks to COVID-19 exposure; (2) exposes an individual with actual malice; or (3) intentionally exposes an individual to COVID-19. The bill also limits liability to any person that designs, manufactures, labels, sells, distributes, or donates PPE, unless the person acts with actual malice.	<a href="https://legiscan.com/IA/bill/SF2338/2019">https://legiscan.com/IA/bill/SF2338/2019</a>
Kansas	Yes. HB 2016 was approved by the Governor on June 8, 2020. The bill provides immunity from civil liability for COVID-19 claims against any "person, or agent of such person, conducting business" in Kansas if the person "was acting pursuant to and in substantial compliance with public health directives applicable to the activity giving rise to the cause of action when the action accrued." This provision will expire on January 26, 2021.	<a href="https://legiscan.com/KS/bill/HB2016/2020/X1">https://legiscan.com/KS/bill/HB2016/2020/X1</a>
Kentucky	Yes. SB 150 has been enacted. The new law provides a defense to ordinary negligence and product liability for any business that acted reasonably and in good faith, in making or providing PPE or personal hygiene supplies relative to COVID-19 in response to the state of emergency, and which does not make or provide such products in the normal course of business.	<a href="https://legiscan.com/KY/text/SB150/2020">https://legiscan.com/KY/text/SB150/2020</a>
Louisiana	Yes. SB 491 (Act. No. 303) was signed by the Governor on 6/12/2020. The bill provides that any person who, during a state of emergency, renders disaster relief, recovery services, or products outside the typical course and scope of their operations, is immune from liability to the recipient for any injury, death, or property damage resulting therefrom. Exceptions apply for gross negligence and willful misconduct. Additionally, SB 508 (Act No. 305) was signed by the Governor on 6/12/20. It provides restaurant owners, operators and employees immunity from civil liability for injury or death due to COVID-19 infection transmitted through food preparation and service during the COVID-19 public health emergency. Exceptions apply for gross negligence and willful or wanton misconduct. HB 826 (Act No. 336) was signed by the Governor on 6/13/2020, provides immunity from liability for civil damages related to exposure to COVID-19 for state and local government and event planning businesses. It also provides that both employees whose contraction of COVID-19 are determined to be compensable under the Louisiana Workers' Compensation Law and employees whose contraction of COVID-19 are not covered by the Louisiana Workers' Compensation Law shall have no remedy in tort for the exposure against their employer. HB 59 (Act No. 9) was signed by the Governor on 7/8/2020 and is retroactive to 3/11/2020. Act No. 9 provides immunity to public and private schools, public and private school districts, and charter school governing boards from claims related to a declared state of emergency or public health emergency for an infectious disease. HB58 is in committee. This bill would provide immunity for nonprofit organizations and religious institutions from liability for injury or death resulting from or related to actual or alleged exposed to COVID-19, unless the organization was not complying with federal, state, and local guidance, and unless the damages were caused by gross negligence or willful or wanton misconduct of the nonprofit or religious organization.	<a href="https://legiscan.com/LA/bill/SB491/2020">https://legiscan.com/LA/bill/SB491/2020</a> ; <a href="https://legiscan.com/LA/bill/SB508/2020">https://legiscan.com/LA/bill/SB508/2020</a> ; <a href="https://legiscan.com/LA/text/HB826/2020; &lt;a href='https://legiscan.com/LA/bill/HB59/2020/X1'&gt;https://legiscan.com/LA/bill/HB59/2020/X1&lt;/a&gt;">https://legiscan.com/LA/text/HB826/2020; &lt;a href='https://legiscan.com/LA/bill/HB59/2020/X1'&gt;https://legiscan.com/LA/bill/HB59/2020/X1&lt;/a&gt;</a> ; <a href="https://legiscan.com/LA/bill/HB58/2020/X1">https://legiscan.com/LA/bill/HB58/2020/X1</a>
Maine	No.	N/A
Maryland	No.	N/A
Massachusetts	Yes, pending legislation (SB 2700) would make it unlawful to file a civil action for damages against any employee organization or union for advising its bargaining unit members of their right to refuse to work because of an abnormally dangerous condition at the place of employment; the bill would also make a construction contractor or sub-contractor immune from suit and civil liability for any damages allegedly related to construction delays caused by COVID-19.	<a href="https://legiscan.com/MA/bill/S2700/2019">https://legiscan.com/MA/bill/S2700/2019</a>

Michigan	Yes, pending legislation (SB 1024) would make it so that person is not liable for a COVID-19 claim that arises from exposure of an individual to COVID-19 on premises owned, leased, managed, or operated by a person, or during an activity managed by a person, unless it is shown by clear and convincing evidence that the injuries were caused by a reckless disregard of a substantial and unnecessary risk that an individual would be exposed to COVID-19, or the person engaged in a deliberate act intended to cause harm. Additionally, a person that operates in substantial compliance with or reasonably consistent with a federal or state statute or regulation, executive order, or public health guidance that was applicable at the time to the conduct or risk that allegedly caused harm is not liable for a COVID-19 claim or a claim related to conduct intended to reduce transmission of COVID-19.	N/A
Minnesota	Yes, pending legislation (SB 4606) would establish that an owner, lessor, lessee, or occupant of commercial, business, industrial, governmental, recreational, or residential premises, who directly or indirectly invites or permits any person onto the premises, owes no duty to: (1) eliminate or reduce the risk related to COVID-19; or (2) warn persons entering the premises of a risk related to COVID-19. Additionally, an owner, lessor, lessee, or occupant of commercial, business, industrial, governmental, or recreational premises is not liable for injury, damage, death of a person, or economic loss related to COVID-19 unless the owner, lessor, lessee, or occupant: (1) acts in a willful and wanton or reckless manner by disregarding a substantial and unnecessary risk that a person would be exposed to or contract COVID-19; or (2) intentionally causes the person to be exposed to or contract COVID-19. The bill does not apply to workers' compensation claims under chapter 176. The MN Senate is currently in recess.	<a href="https://legiscan.com/gafts/search?state=MN&amp;keyword=covid">https://legiscan.com/gafts/search?state=MN&amp;keyword=covid</a>
Mississippi	Yes, Act 3049 was signed into law on June 8, 2020. 3049 establishes that an owner, lessee, occupant or any other person in control of a premises, who attempts, in good faith, to follow applicable public health guidance and directly or indirectly invites or permits any person onto a premises shall not be held liable for civil damages for any injuries or death resulting from or related to actual or alleged exposure or potential exposure to COVID-19.  The limitations on liability provided in this section shall not apply where the plaintiff shows, by clear and convincing evidence, that a defendant, or any employee or agent thereof, acted with actual malice or willful, intentional misconduct.	<a href="https://legiscan.com/MS/bill/SB3049/2020">https://legiscan.com/MS/bill/SB3049/2020</a>
Missouri	No, but an Act, SB 591, signed into law on July 1, 2020, heightens the burden required for plaintiffs to prove punitive damages. SB 591 provides that punitive damages will only be awarded if the plaintiff proves by clear and convincing evidence that the defendant intentionally harmed the plaintiff without just cause or acted with a deliberate and flagrant disregard for the safety of others. Additionally, plaintiffs may now only seek punitive damages by submitting a written motion for leave to file a pleading seeking punitive damages and can no longer seek them in an initial pleading. Such motions must be supported by evidence establishing a reasonable basis for recovery of punitive damages. SB 591 also provides that the amount of punitive damages shall not be based, in any amount, on harm to nonparties.	N/A
Montana	No.	N/A
Nebraska	No.	N/A
Nevada	No.	N/A
New Hampshire	No.	N/A
New Jersey	Yes, pending legislation (No. 2628) would establish general immunity for business entities, including non-profits, and institutions of higher education, and their officers, employees, agents, and volunteers against actions relating to a person's exposure to COVID-19 or other diseases caused by the related viral strain in subsequent years. The immunity would be based on good faith compliance with or exceeding all applicable public and personal health and safety measures to prevent or mitigate a person's exposure to COVID-19 or a related viral strain, or disease caused by either one, which measures are based on guidance, regulations, rules, and administrative orders promulgated by federal, State or local departments, divisions, commissions, boards, bureaus, agencies, or officials, as well as applicable Executive Orders or portions of those orders issued by the Governor. The immunity would bar civil lawsuits, and any administrative proceedings concerning professional disciplinary action, or suspension, revocation, refusal to issue or refusal to renew any license, certification, certificate, or permit, as applicable.	<a href="https://www.njleg.state.nj.us/2020/Bills/S3000/2628_I1.HTM">https://www.njleg.state.nj.us/2020/Bills/S3000/2628_I1.HTM</a>
New Mexico	No.	N/A
New York	Yes, legislation is pending (SB 8463) that would bar COVID-19 related employee tort claims and occupational disease claims against businesses that develop and follow a mandatory business safety plan (as outlined in the bill), except for cases of gross negligence.	<a href="https://legiscan.com/NY/bill/S08463/2019">https://legiscan.com/NY/bill/S08463/2019</a>

North Carolina	Yes. SB 704, signed into law on 5/4/20, provides that "essential businesses" (defined in Executive Orders 121 and 141 - and further including "any business that the Department of Revenue determines is essential") and "emergency response entities" (which includes manufacturers of PPE and ventilators, for example) are temporarily immune from civil liability to customers, employees or users for COVID-19 illness claims unless the business was grossly negligent, reckless or intentionally caused the harm. This immunity applies only to claims filed on or after March 27, 2020, and covers acts or omissions on or after March 27, until North Carolina's emergency declaration is rescinded or expires. Also, HB 118, signed into law on 7/2/20, covers businesses, government agencies, and other groups sued by someone who contracts COVID-19. The law shields companies and other entities from lawsuits as long as they don't act with gross negligence or intentional wrongdoing. The protections do not apply to workers' compensation claims. Businesses are required to provide "reasonable" notice of actions they have taken to reduce the risk of transmitting the virus on their premises, but they wouldn't be held accountable if workers or customers fail to comply. The bill applies to claims that arise no later than 180 days after North Carolina's state of emergency ends.	<a href="https://www.ncleg.gov/Sessions/2019/Bills/Senate/PDF/S704v6.pdf">https://www.ncleg.gov/Sessions/2019/Bills/Senate/PDF/S704v6.pdf</a> <a href="https://files.nc.gov/governor/documents/files/EO121-Stay-at-Home-Order-text.pdf">https://files.nc.gov/governor/documents/files/EO121-Stay-at-Home-Order-text.pdf</a> <a href="https://files.nc.gov/governor/documents/files/EO141-Phase-2.pdf">https://files.nc.gov/governor/documents/files/EO141-Phase-2.pdf</a> <a href="https://legiscan.com/NC/bill/H118/2019">https://legiscan.com/NC/bill/H118/2019</a>
North Dakota	No.	N/A
Ohio	Yes, HB 606, signed into law on 9/14/20, bars tort claims brought by individuals who contract or are exposed to COVID-19 against any "person" (which includes an individual, corporation, business trust, estate, trust, partnership, association, school, for-profit, nonprofit, governmental, or religious entity, and state institution of higher education) except where a "person" has acted recklessly, intentionally, or with wanton misconduct. The protections under the bill will continue through 9/30/21.	<a href="https://legiscan.com/OH/bill/HB606/2019;">https://legiscan.com/OH/bill/HB606/2019;</a> <a href="https://legiscan.com/OH/bill/SB308/2019">https://legiscan.com/OH/bill/SB308/2019</a>
Oklahoma	Yes. SB 1946, signed into law on 5/21/20, provides broad civil liability protections to any person subject to a tort claim by another person who was exposed to COVID-19, as long as no laws were violated and the person or business followed official safety guidance. SB 1947, also signed into law on 5/21/20, provides immunity from product liability claims against certain persons who manufacture or supply or sell certain products, including but not limited to: PPE or other devices used to treat or prevent the spread of COVID-19; or medications used to treat COVID-19, even if dispensed for off-label use.	<a href="https://legiscan.com/OK/text/SB1946/2020">https://legiscan.com/OK/text/SB1946/2020</a> <a href="https://legiscan.com/OK/text/SB1947/2020">https://legiscan.com/OK/text/SB1947/2020</a>
Oregon	No.	N/A
Pennsylvania	No.	N/A
Rhode Island	No.	N/A
South Carolina	Yes, on September 2, 2020, the Senate proposed its version of the "South Carolina COVID-19 Liability Safe Harbor Act" (S. 1259). The law would provide that a "Covered Entity" or "Covered Individual" that reasonably adheres to "Public Health Guidance" applicable at the time the conduct giving rise to a "Coronavirus Claim" occurs shall be entitled to a safe harbor from liability for any acts or omissions resulting from a "Coronavirus Claim." The safe harbor would not apply if a claimant proves by clear and convincing evidence that the "Covered Entity" or "Covered Individual" caused the injury or damage (1) through reckless, willful, or intentional misconduct; or (2) by failing to make any attempt to adhere to "Public Health Guidance." The proposed law defines "Covered Entity" as (a) any for profit or not-for-profit business entity, organized in any form whatsoever; (b) any South Carolina government agency, division, authority, board, commission, instrumentality, political subdivision, municipality, county, or other governmental entity; or (c) any health care facility, as further defined in Chapter 4, Title 44 of the South Carolina Code, and any health care provider, as further defined in Chapter 4, Title 44, of the South Carolina Code. "Covered Individual" is defined as any director, officer, employee, agent, contractor, third-party worker, or other representative of a "Covered Entity." "Public Health Guidance" is defined as any applicable published guidance, directive, order, or rule provided by the South Carolina Occupational Safety and Health Administration and the South Carolina Department of Health and Environmental Control, or other state governmental entity that is applicable to the type of Covered Entity or Covered Individual and to the Coronavirus Claim at issue. "Coronavirus Claim" would mean any claim that arises from the Coronavirus, which shall include any cause of action that is related to any actual, alleged, or feared exposure to or contraction of Coronavirus: (a) from the premises of a Covered Entity; (b) from the operations, products, or services provided on or off premises of a Covered Entity; (c) from the acts or omissions of a Covered Individual or Covered Entity, to include the delay or withholding of medical care; and (d) from efforts to prevent or delay the spread of the coronavirus, to include making precautionary equipment or supplies such as personal protective equipment. The law would take effect upon approval by the Governor and its provisions apply to all civil and administrative causes of action that arise between March 13, 2020, and December 31, 2021, or 180 days after the final state of emergency is lifted for COVID-19 in this State, whichever is later, that are based upon facts that occurred during this time period. Previously, on June 24, 2020, proposed legislation that largely mirrors S. 1259 and also deemed the "South Carolina COVID-19 Liability Safe Harbor Act" was introduced in the House (H. 5527). The act would provide liability protections for a broad class of businesses and government entities that reasonably adhere to "Public Health Guidance" (as defined in the act) at the time the conduct giving rise to a "Coronavirus Claim" occurs.	<a href="https://www.scstatehouse.gov/billsearch.php?billnumbers=5527&amp;utm_source=COVID+19+General+Updates&amp;utm_campaign=4135a7b484-EMAIL_CAMPAIGN_2020_03_26_08_26_COPY_01&amp;utm_medium=email&amp;utm_term=0_399983361a-4135a7b484-70205333;">https://www.scstatehouse.gov/billsearch.php?billnumbers=5527&amp;utm_source=COVID+19+General+Updates&amp;utm_campaign=4135a7b484-EMAIL_CAMPAIGN_2020_03_26_08_26_COPY_01&amp;utm_medium=email&amp;utm_term=0_399983361a-4135a7b484-70205333;</a> <a href="https://www.scstatehouse.gov/sess123_2019-2020/bills/1259.htm">https://www.scstatehouse.gov/sess123_2019-2020/bills/1259.htm</a>
South Dakota	No.	N/A

Tennessee	<p>Yes. On August 17, 2020, Gov. Bill Lee signed into law protections for businesses, schools and nursing homes against coronavirus lawsuits called the Tennessee COVID-19 Recovery Act (SB 8002). Under the new law, an individual or legal entity will not be liable for loss, damage, injury or death that arises from COVID-19 unless the claimant proves by clear and convincing evidence that the person who caused the injury by act or omission constituted gross negligence or willful misconduct. Unlike the other proposed Senate bill, this one does not include retroactivity, and will only apply to claims arising after August 3, 2020.</p>	<p><a href="http://www.capitol.tn.gov/Archives/House/111GA/committees/AA/830010/2020/Civil%20Justice%20Subcommittee%2006.08.20.pdf">http://www.capitol.tn.gov/Archives/House/111GA/committees/AA/830010/2020/Civil%20Justice%20Subcommittee%2006.08.20.pdf</a></p>
Texas	No.	N/A
Utah	<p>Yes, 2020 UT S 30007a was signed into law on May 4, 2020. The new law provides immunity from civil liability for damages due to injury resulting from exposure to COVID-19 on a premises owned or operated by a person or entity, or during an activity managed by the person or entity. Exceptions apply willful misconduct and reckless infliction of harm. The law does not limit administrative liability (e.g., under the Utah Occupational Safety and Health Act) or liability for Workers Compensation. Additionally, 2020 SB5003 was signed by the Governor on June 25, 2020, which provides immunity from civil liability for damages or injury resulting from exposure of an individual to COVID-19 on the premises owned or operated or managed by a person, which exceptions for willful misconduct, reckless infliction of harm, or intentional infliction of harm. As written, it is not expressly directed to but may apply to claims against public employers but only if not covered by Workers' Compensation, Utah Occupational Disease Act, Utah Occupational Safety and Health Act, or Governmental Immunity Act of Utah.</p>	<p><a href="https://le.utah.gov/~2020S3/bills/static/SB3007.html">https://le.utah.gov/~2020S3/bills/static/SB3007.html</a></p>
Vermont	No.	N/A
Virginia	<p>Yes, pending is HB 5074. As amended, the bill provides that, in the absence of gross negligence or willful misconduct, no person shall be liable for any civil cause of action arising from any act or omission alleged to have resulted in the contraction or exposure of COVID-19, provided the person has complied with federal, state, and local policies, procedures, and guidance. A "person" is defined as individuals, corporations, nonprofit corporations, business trusts, estates, trusts, partnerships, LLCs, sole proprietorships, associations, venture, the Commonwealth or any locality, or any other legal or commercial activity. The law does not apply to claims before Virginia Workers' Compensation Commission.</p>	<p><a href="https://legiscan.com/VA/bill/HB5074/2020/X1">https://legiscan.com/VA/bill/HB5074/2020/X1</a></p>
Washington	No.	N/A
West Virginia	No.	N/A
Wisconsin	<p>Yes, 2019 Wisc. Act 185 was signed into law on April 15, 2020. The new law allows any person who is engaged in manufacturing, distribution or sales of emergency medical supplies or who donates or sells emergency medical supplies to a charitable organization or government unit to respond to the public health emergency related to COVID-19 is immune from civil liability for the death of or injury to an individual caused by use of the emergency supplies.</p>	<p><a href="https://content.govdelivery.com/attachments/WIGOV/2020/04/15/file_attachments/1428100/ab1038.pdf">https://content.govdelivery.com/attachments/WIGOV/2020/04/15/file_attachments/1428100/ab1038.pdf</a></p>
Wyoming	<p>Yes, Wyo. Stat. 35-4-114 (SB 1002) became law on May 20, 2020. The new law provides immunity from COVID-19 exposure/illness claims to any person or business that acts in good faith and follows state, city, town or county health officer safety instructions for the duration of the public health emergency. Exceptions apply for gross negligence and willful or wanton misconduct.</p> <p>However, on June 4, 2020, the Joint Judiciary Committee voted to draft a revised bill that clarifies who may be immune from liability by expressly identifying (among others) any business entity, health care provider, long term care facility, and faith based or church entity. Additionally, the revised bill takes out the good faith requirements, and provides immunity for any "person or entity," except those whose acts or omissions constitute gross negligence or wanton or willful misconduct.</p>	<p><a href="https://legiscan.com/WY/bill/SF1002/2020/X1">https://legiscan.com/WY/bill/SF1002/2020/X1</a></p> <p><a href="https://drive.google.com/file/d/13LHrJ6UXw7IN2zw3pnDPEb1lsIK8s4Aa/view">https://drive.google.com/file/d/13LHrJ6UXw7IN2zw3pnDPEb1lsIK8s4Aa/view</a></p> <p><a href="https://wyoleg.gov/InterimCommittee/2020/01-202006044-02BillLanguage-0603202014765079v3.pdf">https://wyoleg.gov/InterimCommittee/2020/01-202006044-02BillLanguage-0603202014765079v3.pdf</a></p> <p><a href="https://www.wyomingnews.com/coronavirus/committee-votes-to-draft-bill-to-shield-businesses-from-covid-19-lawsuits/article_1db573a4-04ea-55d8-a58e-44b52aec45da.html">https://www.wyomingnews.com/coronavirus/committee-votes-to-draft-bill-to-shield-businesses-from-covid-19-lawsuits/article_1db573a4-04ea-55d8-a58e-44b52aec45da.html</a></p>