
The original instrument was prepared by Jerry J. Guillot and the following digest, which constitutes no part of the legislative instrument, was prepared by Margaret M. Corley.

SB 489 Engrossed

DIGEST
2020 Regular Session

McMath

Proposed law provides that a governmental entity which is in substantial compliance with Proclamation Number 25 JBE 2020 and any subsequent related proclamations and associated guidelines issued by the Center for Disease Control, shall not have civil liability for injury or death due to COVID-19 infection transmitted through an alleged exposure occurring on its premises or through the services provided by the governmental entity during the COVID-19 public health emergency as declared by Proclamation Number 25 JBE 2020, unless the injury or death was caused by gross negligence or willful and wanton misconduct.

Proposed law defines a "governmental entity" as the state, all agencies, boards, committees, or commissions of the executive, legislative, or judicial branches of state government, and any political subdivision which employs the public employee or employed the former public employee.

Proposed law provides that due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent related proclamations, declaring the existence of a statewide public health emergency, proposed law shall be retroactive to March 11, 2020.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 29:773)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Provides that a governmental entity which is in substantial compliance with Proclamation Number 25 JBE 2020 and any subsequent related proclamations and associated guidelines issued by the Center for Disease Control, shall not have civil liability for injury or death due to COVID-19 infection transmitted through an alleged exposure occurring on its premises or through the services provided by the governmental entity during the COVID-19 public health emergency as declared by Proclamation Number 25 JBE 2020, unless the injury or death was caused by gross negligence or willful and wanton misconduct.
2. Provides that due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent related proclamations, declaring the existence of a statewide public health emergency, proposed law shall

be retroactive to March 11, 2020.