

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 508

2020 Regular Session

McMath

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

LIABILITY. Limits liability for restaurants that provide food-to-go during the COVID-19 public health emergency. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

- 1 Provides for following applicable COVID-19 procedures established by a federal, state, or local agency.
- 2. Provides for compliance when two or more sources of procedures apply to the restaurant operations.
- 3. Adds provision for employees to retain rights and remedies granted under the Louisiana Workers' Compensation Law.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 508 Reengrossed

2020 Regular Session

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Proposed law provides that no owner, operator, employee, contractor, or agent of a restaurant which is in substantial compliance with Proclamation Number 25 JBE 2020 and any subsequent related proclamations and applicable to COVID-19 procedures established by a federal, state, or local agency, shall have civil liability for injury or death due to COVID-19 infection transmitted through the preparation and serving of food and beverage products by the restaurant during the COVID-19 public health emergency as declared by the proclamation unless the injury or death was caused by gross negligence or wilful and wanton misconduct.

Provides that if two or more sources of procedures are applicable to the restaurant operations at the time of the actual or alleged exposure, the owner, operator, employee, contractor, or agent of a restaurant shall substantially comply with any one applicable set of procedures.

Proposed law further provides that the provisions of proposed law shall include the serving of the prepared food and beverage products by dine-in, takeout, drive-through, or delivery throughout the duration of the COVID-19 public health emergency.

Requires that employees under proposed law retain the rights and remedies granted under the Louisiana Workers' Compensation Law.

Proposed law defines "restaurant" to mean an eating establishment which gives or offers for retail sale prepared food to the public within its premises.

Proposed law is enforceable retroactive to March 11, 2020 due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent proclamation, declaring the existence of a statewide public health emergency.

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

(Adds R.S. 29:773)

Thomas L. Tyler
Deputy Chief of Staff