

RÉSUMÉ DIGEST

ACT 303 (SB 491)

2020 Regular Session

Hewitt

Prior law provided that during a declared state of emergency, any natural or juridical person, who gratuitously and voluntarily renders any disaster relief or recovery services in coordination with the state or its political subdivisions, shall not be liable to the recipient thereof for any injury or death to a person or any damage to property resulting therefrom, except in the event of gross negligence or willful misconduct.

New law expands the scope of prior law to provide that, during a declared state of emergency, any natural or juridical person, who gratuitously and voluntarily renders disaster relief, recovery services, or products in coordination with the state or its political subdivisions, shall not be liable to the recipient thereof for any injury or death to a person or any damage to property resulting therefrom, except in the event of gross negligence or willful misconduct.

New law provides that, during a declared state of emergency, any natural or juridical person, who renders disaster relief, recovery services, or products outside of the typical course and scope of their operations in coordination with the federal government, the state, or its political subdivisions, shall not be liable to the recipient thereof for any injury or death to a person or any damage to property resulting therefrom, except in the event of gross negligence or willful misconduct.

New law provides that due to the imminent threat posed by COVID-19 as provided in Proclamation No. 25 JBE 2020 and any subsequent proclamation, declaring the existence of a statewide public health emergency, new law shall be retroactive to March 11, 2020.

Effective upon signature of the governor (June 12, 2020).

(Amends R.S. 29:735.3.1(A); adds R.S. 29:735.3.2)