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**HOUSE FLOOR AMENDMENTS**

2020 First Extraordinary Session

Amendments proposed by Representative Mincey to Engrossed House Bill No. 59 by Representative Mincey

1 AMENDMENT NO. 1

2 On page 1, line 4, after "liability of public" delete the remainder of the line and insert "and  
3 private schools, public and private school"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "public" and before "postsecondary" insert "and private"

6 AMENDMENT NO. 3

7 On page 1, at the end of line 13, after "public" insert "and private"

8 AMENDMENT NO. 4

9 On page 1, delete line 14 in its entirety and insert the following:

10 "schools, public and private school districts, public and private school governing  
11 authorities, and charter school"

12 AMENDMENT NO. 5

13 On page 2, delete line 2 in its entirety, and insert the following:

14 "infectious disease at a public or private school, other public or private school  
15 facility, on a public or private school"

16 AMENDMENT NO. 6

17 On page 2, line 3, after "public" and before "school" insert "and private"

18 AMENDMENT NO. 7

19 On page 2, between lines 7 and 8 insert the following:

20 "D. The provisions of this Section shall be limited to claims related to the  
21 infectious disease which is the subject of the declared state of emergency or public  
22 health emergency.

23 E. The public and private schools, public and private school districts, public  
24 or private school governing authorities, charter school governing authorities, and the  
25 officers, employees, and agents thereof may not avail themselves of the immunity  
26 provided by this Section if the action or failure to act was in violation of a policy,  
27 rule, or regulation adopted by the public or private school, public or private school  
28 district, public or private school governing authority, or charter school governing  
29 authority or was in violation of any procedure mandated by law or by rule or  
30 regulation adopted by a federal or state agency in accordance with the Administrative

1 Procedure Act, and such action or inaction is determined to be grossly negligent or  
2 wanton or reckless misconduct.  
3 \* \* \*

4 AMENDMENT NO. 8

5 On page 2, delete line 11 in its entirety and insert the following:

6 "and private postsecondary education systems, public and private postsecondary  
7 education institutions, and"

8 AMENDMENT NO. 9

9 On page 2, line 12, after "public" and before "postsecondary" insert "and private"

10 AMENDMENT NO. 10

11 On page 2, line 18, after "at a public" and before "postsecondary" insert "or private"

12 AMENDMENT NO. 11

13 On page 2, delete line 19 in its entirety and insert the following:

14 "or private postsecondary education facility, or at a public or private postsecondary  
15 education institution"

16 AMENDMENT NO. 12

17 On page 2, between lines 24 and 25 insert the following:

18 "D. The provisions of this Section shall be limited to claims related to the  
19 infectious disease which is the subject of the declared state of emergency or public  
20 health emergency.

21 E. The public and private postsecondary education systems, public and  
22 private postsecondary education institutions, and public and private postsecondary  
23 education management boards, and the officers, employees, and agents thereof may  
24 not avail themselves of the immunity provided for by this Section if the action or  
25 failure to act was in violation of a policy, rule, or regulation adopted by the public  
26 or private postsecondary education system, public or private postsecondary education  
27 institution, or public or private postsecondary education management board or was  
28 in violation of any procedure mandated by law or by rule or regulation adopted by  
29 a federal or state agency in accordance with the Administrative Procedure Act, and  
30 such action or inaction is determined to be grossly negligent or wanton or reckless  
31 misconduct."

32 AMENDMENT NO. 13

33 On page 2, delete lines 25 through 29 and insert the following:

34 "Section 2. Due to the threat posed by COVID-19 as provided in  
35 Proclamation Number 25 JBE 2020 and any subsequent proclamation, declaring the  
36 existence of a statewide public health emergency, this Act shall be retroactive to  
37 March 11, 2020."