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## DIGEST

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HB 59 Reengrossed

2020 First Extraordinary Session

Mincey

**Abstract:** Provides relative to immunity from civil liability for public and private schools, charter schools, and public and private postsecondary education institutions during a state of emergency or a public health emergency for infectious disease.

Proposed law provides for immunity for public, private, and charter schools from civil liability from damages resulting from exposure to infectious disease or acts undertaken in an effort to respond to a declared state of emergency or public health emergency related to an infectious disease.

Proposed law prohibits causes of action related to the contraction of an infectious disease at a public, private, or charter school facility, bus, or event and at a public or private postsecondary education facility or event based on the actions or failure to act of school agents.

Proposed law provides that schools and postsecondary institutions will not be immune from civil liability for damages resulting from actions or inactions that (1) are in violation of a policy adopted by the school and (2) are determined to be grossly negligent or wanton or reckless misconduct.

Provides that the provisions of proposed law are to be applied retroactively to March 11, 2020, as well as prospectively.

(Adds R.S. 17:439.1 and 3391)

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Add charter schools to the list of protected public school entities.
2. Extend the proposed law immunity from civil liability to public postsecondary education institutions.

The House Floor Amendments to the engrossed bill:

1. Add private schools to the list of protected school entities.
2. Add private postsecondary education systems to list of protected postsecondary education

systems.

3. Provide an exception that public and private schools and public and private postsecondary education systems will not be immune for certain actions or inactions.
4. Provide that proposed law shall be retroactive to March 11, 2020.