

## RÉSUMÉ DIGEST

ACT 336 (HB 826)

2020 Regular Session

Pressly

New law provides that no person or local or state government or political subdivision thereof shall be liable for civil damages for injury or death resulting from exposure to COVID-19 in the course of or through the performance of a person's business operations unless it is proven that the person, government, or political subdivision was not in substantial compliance with applicable COVID-19 procedures, and unless such damage was caused by gross negligence or wanton or reckless misconduct.

New law provides that no person or local or state government or political subdivision thereof, business event strategist, association meeting planner, corporate meeting planner, independent trade show organizer or owner, or other entity shall be liable for civil damages for injury or death resulting from exposure to COVID-19 in the course of or through the performance of hosting, promoting, producing or otherwise organizing, planning, or owning a trade show, convention, meeting, association produced event, corporate event, sporting event, or exhibition of any kind, unless such damage was caused by gross negligence or willful or wanton misconduct.

New law provides that during the public health emergency declared during the outbreak of COVID-19, no designers, manufacturers, labelers, or distributors of personal protective equipment shall be liable for civil damages for injury caused by personal protective equipment unless such damages were caused by gross negligence or willful or wanton misconduct.

New law further provides that during the COVID-19 public health emergency, no person who uses, dispenses, or administers personal protective equipment shall be liable for civil damages for injury or death related to the personal protective equipment unless the person was not in substantial compliance with applicable COVID-19 procedures and unless such damage was caused by gross negligence or wanton and reckless misconduct.

New law provides that when two or more sets of COVID-19 procedures apply to a business operation or to the use, dispensing, or administering of personal protective equipment, the responsible party need only substantially comply with one applicable set of procedures.

New law provides that employees, whether or not covered by Worker's Compensation, shall have no remedy in tort against their employer for exposure to COVID-19 unless caused by an intentional act.

New law is retroactive to March 11, 2020.

Effective upon signature of governor (June 13, 2020).

(Adds R.S. 9:2800.25 and R.S. 29:773)