COVID-19 PROVISIONS

2020 THIRD SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Kirk A. Cullimore

House Sponsor: Marc K. Roberts

LONG TITLE

General Description:

This bill addresses immunity related to COVID-19.

Highlighted Provisions:

This bill:

- defines terms;
- provides civil immunity related to exposure to COVID-19; and
- addresses relationship of the provision to other laws.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

78B-4-517, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-4-517** is enacted to read:

78B-4-517. Immunity related to COVID-19.

(1) As used in this section:

(a) "COVID-19" means:

(i) severe acute respiratory syndrome coronavirus 2; or

(ii) the disease caused by severe acute respiratory syndrome coronavirus 2.

(b) "Person" means the same as that term is defined in Section 68-3-12.5.

(c) "Premises" means real property and any appurtenant building or structure.

(2) Subject to the other provisions of this section, a person is immune from civil liability for damages or an injury resulting from exposure of an individual to COVID-19 on the premises owned or operated by the person, or during an activity managed by the person. Immunity as described in this Subsection (2) does not apply to:

(a) willful misconduct;

(b) reckless infliction of harm; or

(c) intentional infliction of harm.

(3) This section does not modify the application of:

(a) Title 34A, Chapter 2, Workers' Compensation Act;

(b) Title 34A, Chapter 3, Utah Occupational Disease Act;

(c) Title 34A, Chapter 6, Utah Occupational Safety and Health Act; or

(d) Title 63G, Chapter 7, Governmental Immunity Act of Utah.

(4) The immunity in Subsection (2) is in addition to any other immunity protections that may apply in state or federal law.

Section 2. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.