

2020 SPECIAL SESSION I

INTRODUCED

20200668D

HOUSE BILL NO. 5040

Offered August 18, 2020

Prefiled August 17, 2020

A BILL to provide immunity from civil claims related to the transmission of or exposure to the COVID-19 virus; emergency.

Patron—O'Quinn

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. A. For the purposes of this act, unless the context requires otherwise:

"Health care provider" means the same as that term is defined in § 8.01-581.1

"Person" means individuals, health care providers, corporations, nonprofit corporations, trusts, partnerships, limited liability companies, religious organizations, sole proprietorships, associations, joint ventures, and any other legal or commercial entity.

B. In the absence of gross negligence or willful misconduct, no person shall be liable for any civil cause of action arising from any act or omission alleged to have resulted in the contraction of or exposure to the COVID-19 virus.

C. The provisions of this act shall not limit or abrogate any other defenses or immunities available at law.

D. The provisions of this act shall not apply to claims before the Virginia Workers' Compensation Commission seeking benefits payable under the Virginia Workers' Compensation Act (§ 65.2-100 et seq.).

2. That an emergency exists and this act is in force from its passage.

3. That the provisions of this act shall expire on July 1, 2022.

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