

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: HB5040

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: O'Quinn

3. Committee: Courts of Justice

4. Title: Immunity from civil claims related to transmission of or exposure to the COVID-19 virus; emergency.

5. Summary: The provisions of this bill grant immunity, in the absence of gross negligence or willful misconduct, to persons from civil causes of action arising from any act or omission alleged to have resulted in the contraction of or exposure to the COVID-19 virus. The bill defines persons as 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.

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

The bill contains an emergency clause that makes the law effective from the date of its passage. Another enactment clause provides that the law expires on July 1, 2022.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: This bill is not expected to have a fiscal impact on state agencies.

9. Specific Agency or Political Subdivisions Affected: Treasury (Risk Management), Virginia Workers' Compensation Commission, and localities.

10. Technical Amendment Necessary: No

11. Other Comments: None