



296990

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
03/11/2021	.	
	.	
	.	
	.	

The Committee on Rules (Farmer) recommended the following:

Senate Amendment

Delete lines 141 - 151
and insert:

2. The defendant is immune from civil liability if the defendant pleads immunity. A defendant may plead immunity at any stage of the proceeding. A defendant is immune from civil liability for ordinary negligence if the court determines that the defendant complied with all applicable executive orders issued by the Governor in association with the declared state of emergency relating to COVID-19 and any guidelines from the



296990

Centers for Disease Control and Prevention applicable at the
time the cause of action accrued.

a. At a summary judgment hearing on the issue of immunity,
evidence is limited to evidence that demonstrates whether the
defendant complied with all applicable executive orders issued
by the Governor in association with the declared state of
emergency relating to COVID-19 and any guidelines from the
Centers for Disease Control and Prevention applicable at the
time the cause of action accrued.

b. If the court determines at a summary judgment hearing
that the defendant complied with such orders and guidelines, the
defendant is immune from liability for ordinary negligence.

c. If the court determines at a summary judgment hearing
that the defendant did not comply with such guidelines and
orders, the plaintiff may proceed with the