

An Act

ENROLLED SENATE
BILL NO. 1946

By: Treat and Bullard of the
Senate

and

McCall, O'Donnell and Lepak
of the House

An Act relating to civil liability; defining terms; establishing immunity from liability for persons or entities from certain civil actions; establishing requirements for certain immunity; clarifying applicability of act; providing for codification; and declaring an emergency.

SUBJECT: Civil liability

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 111 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "COVID-19" means the novel coronavirus identified as SARS-CoV-2, the disease caused by SARS-CoV-2, and conditions associated with the disease;

2. "Guidance" means written guidelines related to COVID-19 issued by the Centers for Disease Control and Prevention, Occupational Safety and Health Administration of the United States Department of Labor, Oklahoma State Department of Health, the

Oklahoma Department of Commerce, or any other state agency, board or commission; and

3. "Person" means an individual, firm, partnership, corporation or association.

B. A person or agent of the person who conducts business in this state shall not be liable in a civil action claiming an injury from exposure or potential exposure to COVID-19 if the act or omission alleged to violate a duty of care of the person or agent was in compliance or consistent with federal or state regulations, a Presidential or Gubernatorial Executive Order, or guidance applicable at the time of the alleged exposure. If two or more sources of guidance are applicable to the conduct or risk at the time of the alleged exposure, the person or agent shall not be liable if the conduct is consistent with any applicable guidance.

C. The provisions of this section shall apply to a civil action filed on or after the effective date of this act.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 11th day of May, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of May, 2020.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____