

SB 63 - AS INTRODUCED

2021 SESSION

21-0828

05/04

SENATE BILL **63**

AN ACT relative to business liability protection for exposure to coronavirus and COVID-19.

SPONSORS: Sen. Giuda, Dist 2; Sen. Hennessey, Dist 1; Sen. Carson, Dist 14; Sen. Gannon, Dist 23; Sen. Morse, Dist 22; Rep. L. Ober, Hills. 37; Rep. Weyler, Rock. 13; Rep. Edwards, Rock. 4; Rep. Stapleton, Sull. 5

COMMITTEE: Commerce

ANALYSIS

This bill limits the liability of business organizations for claims based on exposure to COVID-19.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

In the Year of Our Lord Two Thousand Twenty One

Be it Enacted by the Senate and House of Representatives in General Court convened:

- (a) Gross negligence;
- (b) Willful misconduct;
- (c) Intentional criminal misconduct; or

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1 (d) Intentional infliction of harm.

2 546-C:4 Causation. Any person claiming to have suffered personal injury as a result of exposure
3 to COVID-19 shall prove by clear and convincing evidence that the defendant was the proximate
4 cause of the injuries allegedly suffered.

5 546-C:5 Statute of Limitations. Any suit for any alleged injury arising from COVID-19 shall be
6 commenced not later than one year after the day the cause of action accrues.

7 546-C:6 Construction. Nothing in this chapter shall be construed to create a new cause of action
8 or expand any liability otherwise imposed, limit any defense, or affect the applicability of any law
9 that affords greater protections to defendants that are provided in this chapter.

10 546-C:7 Effect on Other Laws. Nothing in this chapter shall affect a person's rights under RSA
11 281-A.

12 2 Effective Date. This act shall take effect upon its passage.