

## SB3007S01 compared with SB3007

~~{deleted text}~~ shows text that was in SB3007 but was deleted in SB3007S01.

inserted text shows text that was not in SB3007 but was inserted into SB3007S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{CONTAGIOUS VIRUSES}~~ Senator **Kirk A. Cullimore** proposes the following substitute bill:

### COVID-19 PROVISIONS

2020 THIRD SPECIAL SESSION

STATE OF UTAH

**Chief Sponsor: Kirk A. Cullimore**

House Sponsor: \_\_\_\_\_

---

#### LONG TITLE

##### General Description:

This bill addresses immunity related to ~~{contagious viruses}~~ COVID-19.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides civil immunity related to exposure to ~~{a contagious virus}~~ COVID-19; and
- ▶ addresses relationship of the provision to other laws.

##### Money Appropriated in this Bill:

None

##### Other Special Clauses:

This bill provides a special effective date.

##### Utah Code Sections Affected:

## SB3007S01 compared with SB3007

ENACTS:

78B-4-517, Utah Code Annotated 1953

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section 78B-4-517 is enacted to read:

**78B-4-517. Immunity related to ~~{contagious virus}~~COVID-19.**

(1) As used in this section:

(a) ~~{ "Contagious virus" means a virus that results in an occurrence or imminent threat of an illness or health condition that poses a high probability of:~~

~~—— (i) a large number of deaths in the affected population;~~

~~—— (ii) a large number of serious or long-term disabilities in the affected population; or~~

~~—— (iii) widespread exposure to the virus that poses a significant risk of substantial future harm to a large number of people in the affected population}~~ "COVID-19" means:

(i) severe acute respiratory syndrome coronavirus 2; or

(ii) the disease caused by severe acute respiratory syndrome coronavirus 2.

(b) "Person" means the same as that term is defined in Section 68-3-12.5.

(c) "Premises" means real property and any appurtenant building or structure.

(2) ~~{ Subject}~~ Subject to the other provisions of this section, a person is immune from civil liability for damages or an injury resulting from exposure of an individual to ~~fa~~ contagious virus} COVID-19 on the premises owned or operated by the person, or during an activity managed by the person. Immunity as described in this Subsection (2) ~~{ does}~~ does not apply to:

(a) willful misconduct;

(b) reckless infliction of harm; or

(c) intentional infliction of harm.

(3) This section does not modify the application of:

(a) Title 34A, Chapter 2, Workers' Compensation Act;

(b) Title 34A, Chapter 3, Utah Occupational Disease Act;

(c) Title 34A, Chapter 6, Utah Occupational Safety and Health Act; or

(d) Title 63G, Chapter 7, Governmental Immunity Act of Utah.

(4) The immunity in Subsection (2) is in addition to any other immunity protections

## **SB3007S01 compared with SB3007**

that may apply in state or federal law.

### **Section 2. Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.