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The original instrument was prepared by Jerry Guillot and the following digest, which constitutes no part of the legislative instrument, was prepared by Margaret M. Corley.

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SB 508 Engrossed

DIGEST  
2020 Regular Session

McMath

Proposed law provides that no owner, operator, employee, contractor, or agent of a restaurant which is in substantial compliance with 20 Proclamation JBE 2020-25 and any subsequent related proclamations and associated guidance issued by the Centers for Disease Control, shall have civil liability for injury or death due to coronavirus infection transmitted through the preparation and serving of food and beverage products by the restaurant during the COVID-19 public health emergency as declared by proclamation JBE 2020-25, absent clear and convincing evidence of gross negligence, willful and wanton misconduct, or violation of a public health emergency proclamation or order issued by the state or a political subdivision.

Proposed law further provides that the provisions of proposed law shall include the serving of the prepared food and beverage products by takeout, drive-through, or delivery throughout the duration of such emergency and shall also be retroactive to the precipitating event requiring the declaration of a public health emergency.

Proposed law defines "restaurant" to mean an eating establishment which gives or offers for retail sale prepared food to the public within its premises.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 37:1739)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Provides for technical changes.
2. Provides that no owner, operator, employee, contractor, or agent of a restaurant which is in substantial compliance with 20 Proclamation JBE 2020-25 and any subsequent related proclamations and associated guidance issued by the Centers for Disease Control, shall have civil liability for injury or death due to coronavirus infection transmitted through the preparation and serving of food and beverage products by the restaurant during the COVID-19 public health emergency as declared by proclamation JBE 2020-25, absent clear and convincing evidence of gross negligence, willful and wanton misconduct, or violation of a public health emergency proclamation or order issued by the state or a political subdivision.

3. Provides that the provisions of proposed law shall include the serving of the prepared food and beverage products by takeout, drive-through, or delivery throughout the duration of such emergency and shall also be retroactive to the precipitating event requiring the declaration of a public health emergency.