

SENATE FLOOR AMENDMENTS

2020 Regular Session

Amendments proposed by Senator Peacock to Reengrossed House Bill No. 826 by Representative Pressly

1 AMENDMENT NO. 1

2 Delete the set of Senate Committee Amendments, proposed by the Senate Committee on
3 Judiciary A and adopted by the Senate on May 27, 2020.

4 AMENDMENT NO. 2

5 On page 1, line 2, after "9:2800.25" insert "and R.S. 29:773"

6 AMENDMENT NO. 3

7 On page 1, delete line 14 and insert "§2800.25. Limitation of liability for COVID-19"

8 AMENDMENT NO. 4

9 On page 1, delete lines 15 through 19 and on page 2 delete lines 1 through 19

10 AMENDMENT NO. 5

11 On page 2, line 20, change "E." to "A."

12 AMENDMENT NO. 6

13 On page 3, delete lines 3 through 18 and insert the following:

14 "B. No natural or juridical person, state or local government, or political
15 subdivision thereof, nor specifically a business event strategist, association meeting
16 planner, corporate meeting planner, independent trade show organizer or owner, or
17 any other entity hosting, promoting, producing or otherwise organizing an event of
18 any kind, shall be held liable for any civil damages for injury or death resulting from
19 or related to actual or alleged exposure to COVID-19 in the course of or through the
20 performance of hosting, promoting, producing or otherwise organizing, planning or
21 owning a tradeshow, convention, meeting, association produced event, corporate
22 event, sporting event, or exhibition of any kind, unless such damages were caused
23 by the gross negligence or willful or wanton misconduct."

24 AMENDMENT NO. 7

25 On page 3, line 19, change "H." to "C."

26 AMENDMENT NO. 8

27 On page 3, line 26, change "I." to "D."

28 AMENDMENT NO. 9

29 On page 4, between lines 3 and 4 insert the following:

30 "Section 2. R.S. 29:773 is hereby enacted to read as follows:
31 §773. Limitation of liability for personal protective equipment during the COVID-
32 19 public health emergency
33 A. No natural or juridical person that designs, manufactures, labels, or
34 distributes personal protective equipment in response to the COVID-19 public health
35 emergency shall be liable for civil damages for injury or death caused by such

1 personal protective equipment, unless such damages were caused by the gross
 2 negligence or willful or wanton misconduct.
 3 B. During the COVID-19 public health emergency, no natural or juridical
 4 person who uses, employs, dispenses, or administers personal protective equipment
 5 shall be liable for civil damages for injury or death resulting from or related to such
 6 personal protective equipment, unless the person failed to substantially comply with
 7 the applicable procedures established by federal, state, or local agencies which
 8 govern such personal protective equipment and the injury or death was caused by the
 9 person's gross negligence or wanton or reckless misconduct. If two or more sources
 10 of procedures are applicable to the use, employment, dispensing, or administering
 11 of personal protective equipment at the time of the actual or alleged exposure, the
 12 person shall substantially comply with any one applicable set of procedures."

13 AMENDMENT NO. 10

14 On page 4, line 4, change "J." to "C."

15 AMENDMENT NO. 11

16 On page 4, delete lines 7 and 8 and insert the following:

17 "Section 3. Due to the imminent threat posed by COVID-19 as provided in
 18 Proclamation Number 25 JBE 2020 and any subsequent proclamation, declaring the
 19 existence of a statewide public health emergency, Section 1 of this Act shall be
 20 retroactive to March 11, 2020."

21 AMENDMENT NO. 12

22 On page 4, line 9, change "Section 3." to "Section 4."