

---

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.

---

SB 491 Engrossed

DIGEST  
2020 Regular Session

Hewitt

Present law provides that during a declared state of emergency, any natural or juridical person, who gratuitously and voluntarily renders any disaster relief or recovery services in coordination with the state or its political subdivisions shall not be liable to the recipient thereof for any injury or death to a person or any damage to property resulting therefrom, except in the event of gross negligence or willful misconduct.

Proposed law provides that disaster relief and recovery services includes but is not limited to the manufacturing, distribution, donation, or use of hand sanitizers, disinfecting productions, protective clothing, helmets, gloves, face shields, goggles, face masks, respirators, or other equipment designed in accordance with government standards to protect the wearer from injury or the spread of infection or illness. Otherwise retains present law.

Proposed law provides that during a declared state of emergency, any natural or juridical person, who renders disaster relief or recovery equipment or services in coordination with the federal government, the state, or its political subdivisions shall not be liable to the recipient thereof for any injury or death to a person or any damage to property resulting therefrom, except in the event of gross negligence or willful misconduct.

Proposed law provides that due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent proclamation, declaring the existence of a statewide public health emergency, proposed law shall be retroactive to March 11, 2020.

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

(Amends R.S. 29:735.3.1(A); adds R.S. 29:735.3.2)

#### Summary of Amendments Adopted by Senate

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

1. Provides for technical corrections.
2. Provides that disaster relief and recovery services includes but is not limited to the manufacturing, distribution, donation, or use of hand sanitizers, disinfecting productions, protective clothing, helmets, gloves, face shields, goggles, face masks, respirators, or other equipment designed in accordance with government standards to protect the wearer from injury or the spread of infection or illness.

3. Provides that due to the imminent threat posed by COVID-19 as provided in Proclamation Number 25 JBE 2020 and any subsequent proclamation, declaring the existence of a statewide public health emergency, proposed law shall be retroactive to March 11, 2020.