

SB1873



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1873

Introduced 2/26/2021, by Sen. Dave Syverson

SYNOPSIS AS INTRODUCED:

New Act

Creates the COVID-19 Civil Immunity Act. Provides that an entity is immune from civil liability for the death of or injury to any individual or damages caused by an act or omission resulting in or relating to exposure, directly or indirectly, to the novel coronavirus identified as SARS-CoV-2 or COVID-19 in the course of or through the performance or provision of the entity's functions or services, unless the act or omission involves reckless or wanton conduct or intentional misconduct.

LRB102 14067 LNS 19419 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 COVID-19 Civil Immunity Act.

6 Section 5. Definitions. As used in this Act:

7 "COVID-19" means the infection caused by the novel
8 coronavirus SARS-CoV-2 or by any viral strain originating from
9 SARS-CoV-2, and conditions associated with the infection.

10 "Entity" means a partnership, corporation, association,
11 governmental entity, or other legal entity, including a
12 school, institution of higher education, or nonprofit
13 organization. "Entity" includes an employer or business owner,
14 employee, agent, or independent contractor of the entity,
15 regardless of whether the person is a paid or an unpaid
16 volunteer

17 Section 10. Civil liability immunity.

18 (a) Beginning March 21, 2020, an entity is immune from
19 civil liability for the death of or injury to any individual or
20 damages caused by an act or omission resulting in or relating
21 to exposure, directly or indirectly, to the novel coronavirus
22 identified as SARS-CoV-2 or COVID-19 in the course of or

1 through the performance or provision of the entity's functions
2 or services.

3 (b) Subsection (a) does not apply if the act or omission
4 involves reckless or wanton conduct or intentional misconduct.
5 Noncompliance with any national, State, or local order
6 requiring entities to close or limit capacity does not
7 constitute reckless or wanton conduct or intentional
8 misconduct for purposes of this Section.

9 (c) Immunity under this Section is in addition to, not in
10 lieu of, other immunity granted by law, and nothing in this
11 Section limits immunity granted under any other provision of
12 law.