



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 118

AMENDMENT NO.
(to be filled in by
Principal Clerk)

H118-ATG-83 [v.3]

Page 1 of 2

Amends Title [YES]
H118-CSTG-54 v.1

Date ,2020

Senator Newton

moves to amend the proposed committee substitute on page 1, lines 2 through page 2, line 15, by rewriting the lines to read:

"AN ACT TO PROVIDE LIMITED IMMUNITY FROM LIABILITY FOR CLAIMS BASED ON TRANSMISSION OF CORONAVIRUS DISEASE 2019 (COVID-19).

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 99E of the General Statutes is amended by adding a new Article to read:

"Article 8.

"COVID-19 Limited Immunity.

"§ 99E-70. Definitions.

The following definitions apply in this Article:

(1) COVID-19. – The disease caused by the SARS-CoV-2 virus.

(2) Person. – An individual, corporation, nonprofit corporation, business trust, estate, trust, partnership, limited liability company, sole proprietorship, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal entity.

"§ 99E-71. Limited immunity.

(a) In any claim for relief arising from any act or omission alleged to have resulted in the contraction of COVID-19, including any claim based on violation of subsection (b) of this section, no person shall be liable for any act or omission that does not amount to gross negligence, willful or wanton conduct, or intentional wrongdoing.

(b) Every person shall provide, with respect to any premises owned by the person or under the person's possession, custody, or control, reasonable notice of actions taken by the person for the purpose of reducing the risk of transmission of COVID-19 to individuals present on the premises. No person shall be liable for the failure of any individual to comply with rules, policies or guidelines contained in the notice required by this subsection. This subsection shall not apply to premises owned by an individual, other than premises that are used in the operation of a sole proprietorship.

(c) This section does not apply to claims before the Industrial Commission seeking benefits payable under the Workers' Compensation Act, Article 1 of Chapter 97 of the General Statutes.



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1 **"§ 99E-72. Applicability.**

2 This Article applies to claims arising no later than 180 days after the expiration or rescission
3 of Executive Order 116 issued March 10, 2020."

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____