



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2918

Introduced 2/19/2021, by Rep. Adam Niemerg

SYNOPSIS AS INTRODUCED:

New Act

Creates the COVID-19 Immunity Act. Provides that an individual, business, or unit of local government shall not be liable in a civil action claiming an injury from exposure or potential exposure to COVID-19 if the act or omission alleged to violate a duty of care of the individual, business, or unit of local government was in compliance or consistent with federal or State regulations, a presidential or gubernatorial executive order, or guidance applicable at the time of the alleged exposure. Provides that immunity does not apply to willful misconduct, reckless infliction of harm, or intentional infliction of harm. Effective immediately.

LRB102 14003 LNS 19355 b

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 Immunity Act.

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

7 "COVID-19" means the novel coronavirus identified as
8 SARS-CoV-2, the disease caused by SARS-CoV-2, and conditions
9 associated with the disease.

10 "Guidance" means written guidelines related to COVID-19
11 issued by the Centers for Disease Control and Prevention of
12 the United States Department of Health and Human Services,
13 Occupational Safety and Health Administration of the United
14 States Department of Labor, Department of Public Health,
15 Department of Commerce and Economic Opportunity, or any other
16 State agency, board, or commission.

17 Section 10. Civil immunity. Notwithstanding any other
18 provision of law, an individual, business, or unit of local
19 government shall not be liable in a civil action claiming an
20 injury from exposure or potential exposure to COVID-19 if the
21 act or omission alleged to violate a duty of care of the
22 individual, business, or unit of local government was in

1 compliance or consistent with federal or State regulations, a
2 presidential or gubernatorial executive order, or guidance
3 applicable at the time of the alleged exposure. If 2 or more
4 sources of guidance apply to the conduct or risk at the time of
5 the alleged exposure, the individual, business, or unit of
6 local government shall not be liable if the conduct is
7 consistent with any applicable guidance.

8 Section 15. Exceptions. Immunity under Section 10 does not
9 apply to willful misconduct, reckless infliction of harm, or
10 intentional infliction of harm. This Act shall not affect
11 rights and remedies under the Workers' Compensation Act.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.