

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 3612, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Daniels

Daniels-TEK-FS-Req#4095
5/5/2020 4:32 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 3612

By: O'Donnell of the House

and

Daniels of the Senate

7
8
9 FLOOR SUBSTITUTE

10 An Act relating to civil liability; defining terms;
11 establishing immunity from liability for persons or
12 entities from certain civil actions; establishing
13 requirements for certain immunity; clarifying
14 applicability of act; providing for codification; and
15 declaring an emergency.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 111 of Title 76, unless there is
19 created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "COVID-19" means the novel coronavirus identified as SARS-
22 CoV-2, the disease caused by SARS-CoV-2, and conditions associated
23 with the disease;

24 2. "Guidance" means written guidelines related to COVID-19
issued by the Centers for Disease Control and Prevention,

1 Occupational Safety and Health Administration of the United States
2 Department of Labor, Oklahoma State Department of Health, the
3 Oklahoma Department of Commerce, or any other state agency, board or
4 commission; and

5 3. "Person" means an individual, firm, partnership, corporation
6 or association.

7 B. A person or agent of the person who conducts business in
8 this state shall not be liable in a civil action claiming an injury
9 from exposure or potential exposure to COVID-19 if the act or
10 omission alleged to violate a duty of care of the person or agent
11 was in compliance or consistent with federal or state regulations, a
12 Presidential or Gubernatorial Executive Order, or guidance
13 applicable at the time of the alleged exposure. If two or more
14 sources of guidance are applicable to the conduct or risk at the
15 time of the alleged exposure, the person or agent shall not be
16 liable if the conduct is consistent with any applicable guidance.

17 C. The provisions of this section shall apply to a civil action
18 filed on or after the effective date of this act.

19 SECTION 2. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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24 57-2-4095 TEK 5/5/2020 4:32:09 PM