

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1946

By: Treat of the Senate

4 and

5 McCall of the House

6
7
8 AS INTRODUCED

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

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

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

19 A. As used in this section:

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

23 2. "Guidance" means written guidelines related to COVID-19
24 issued by the Centers for Disease Control and Prevention,
Occupational Safety and Health Administration of the United States

1 Department of Labor, Oklahoma State Department of Health, the
2 Oklahoma Department of Commerce, or any other state agency, board or
3 commission; and

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

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

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

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

22
23 57-2-4100 MD 5/6/2020 5:56:45 PM
24
25