

**First Extraordinary Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 20B-0003.01 Shelby Ross x4510

SENATE BILL 20B-011

SENATE SPONSORSHIP

Tate, Cooke, Lundeen, Rankin, Smallwood, Woodward

HOUSE SPONSORSHIP

Landgraf and Pelton, Soper, Bockenfeld, Carver, Catlin, Champion, Geitner, Holtorf, Humphrey, Larson, Liston, McKean, Will

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 **CONCERNING CIVIL IMMUNITY FOR SMALL BUSINESSES THAT COMPLY**
102 **WITH APPLICABLE GUIDELINES RELATED TO COVID-19.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes immunity from civil liability for small businesses for any act or omission that results in exposure, loss, damage, injury, or death arising out of COVID-19 if the small business attempts in good faith to comply with applicable public health guidelines.

The bill is repealed 2 years after the date the governor terminates the state of disaster emergency declared on March 11, 2020.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 13-21-115.8 as
3 follows:

4 **13-21-115.8. Immunity from civil liability for small businesses**
5 **that comply with COVID-19 guidelines - definitions - repeal.** (1) AS
6 USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "COVID-19" MEANS THE CORONAVIRUS DISEASE 2019 CAUSED
8 BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO
9 KNOWN AS SARS-CoV-2.

10 (b) "GUIDELINES" MEANS ALL APPLICABLE OFFICIAL PUBLIC
11 HEALTH GUIDELINES, INSTRUCTIONS, ORDERS, AND MANDATES RELATED
12 TO COVID-19 ISSUED BY THE GOVERNOR, THE COLORADO DEPARTMENT
13 OF PUBLIC HEALTH AND ENVIRONMENT, OR ANY OTHER GOVERNMENT OR
14 GOVERNMENTAL SUBDIVISION OR AGENCY.

15 (c) "SMALL BUSINESS" MEANS A NONPROFIT OR FOR-PROFIT
16 BUSINESS WITH FEWER THAN FIFTY EMPLOYEES.

17 (2) A SMALL BUSINESS IS IMMUNE FROM CIVIL LIABILITY FOR ANY
18 ACT OR OMISSION THAT RESULTS IN EXPOSURE, LOSS, DAMAGE, INJURY, OR
19 DEATH ARISING OUT OF COVID-19 IF THE SMALL BUSINESS ATTEMPTS IN
20 GOOD FAITH TO COMPLY WITH APPLICABLE GUIDELINES UNLESS THE
21 EXPOSURE, LOSS, DAMAGE, INJURY, OR DEATH WAS CAUSED BY GROSS
22 NEGLIGENCE OR A WILLFUL AND WANTON ACT OR OMISSION OF THE SMALL
23 BUSINESS.

24 (3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ABROGATE
25 OR LIMIT ANY EXISTING GOVERNMENTAL IMMUNITY GRANTED TO A SMALL
26 BUSINESS.

1 (4) THIS SECTION IS REPEALED, EFFECTIVE TWO YEARS AFTER THE
2 DATE THE GOVERNOR OR THE GENERAL ASSEMBLY TERMINATES THE STATE
3 OF DISASTER EMERGENCY DECLARED BY THE GOVERNOR ON MARCH 11,
4 2020, PURSUANT TO SECTION 24-33.5-704. THE GOVERNOR'S OFFICE SHALL
5 NOTIFY THE REVISOR OF STATUTES IN WRITING ON THE DATE OF
6 TERMINATION BY E-MAILING THE NOTICE TO
7 REVISOROFSTATUTES.GA@STATE.CO.US.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.