STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1946

By: Treat of the Senate

and

McCall of the House

AS INTRODUCED

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

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

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

A. As used in this section:

1. “COVID-19” means the novel coronavirus identified as SARS-CoV-2, the disease caused by SARS-CoV-2, and conditions associated with the disease;

2. “Guidance” means written guidelines related to COVID-19 issued by the Centers for Disease Control and Prevention, Occupational Safety and Health Administration of the United States
Department of Labor, Oklahoma State Department of Health, the
Oklahoma Department of Commerce, or any other state agency, board or
commission; and

3. “Person” means an individual, firm, partnership, corporation
or association.

B. A person or agent of the person who conducts business in
this state 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 person or agent
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. If two or more
sources of guidance are applicable to the conduct or risk at the
time of the alleged exposure, the person or agent shall not be
liable if the conduct is consistent with any applicable guidance.

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

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