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8 SYNOPSIS: This bill would provide civil immunity for
9 business entities lawfully operating in this state
10 from damages claimed by individuals who allege that
11 they contracted the coronavirus while on the
12 premises of the business entity.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Relating to business and commerce; to provide civil
19 immunity for business entities lawfully operating in this
20 state from certain damages claimed by individuals who allege
21 that they contracted the coronavirus while on the premises of
22 the business entity; and to provide for retroactive effect.
23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. (a) For purposes of this section, the
25 following terms shall have the following meanings:

26 (1) BUSINESS ENTITY. Any person or group of persons
27 employing one or more persons performing or engaging in any

1 activity, enterprise, profession, or occupation for gain,
2 benefit, advantage, or livelihood, whether for profit or not
3 for profit. The term includes, but is not limited to,
4 self-employed individuals, business entities filing articles
5 of incorporation, partnerships, limited partnerships, limited
6 liability companies, foreign corporations, foreign limited
7 partnerships, foreign limited liability companies authorized
8 to transact business in this state, business trusts, and any
9 business entity that registers with the Secretary of State.

10 (2) CORONAVIRUS. Coronavirus disease 2019, commonly
11 abbreviated "COVID-19."

12 (3) PREMISES. Any building, structure, dwelling, or
13 real property which may be entered or used by persons for
14 business, public use, lodging, or the storage of goods, and
15 includes any vehicle, aircraft, or watercraft used for the
16 lodging of persons or carrying on of business.

17 (b) Absent wanton, willful, or intentional conduct,
18 a business entity that is properly licensed to conduct
19 business in this state is not liable for any injury or
20 damages, including death, suffered by any individual,
21 resulting from the individual's actual or alleged contraction
22 of the coronavirus from another patron, an employee, or any
23 other individual while on the premises of the business entity.

24 (c) A business entity that is not in compliance with
25 any directive, order, or rule of the Alabama Department of
26 Public Health or local health department, the Governor, or any
27 other state or local entity relating to public health or a

1 declared state of emergency is not subject to the immunity
2 provided in subsection (a).

3 Section 2. The provisions of this act shall be
4 retroactive to March 1, 2020.

5 Section 3. The provisions of this act are severable.
6 If any part of this act is declared invalid or
7 unconstitutional, that declaration shall not affect the part
8 which remains.

9 Section 4. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.