



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3989

Introduced 5/19/2020, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

New Act

Creates the COVID-19 Immunity Act. Provides that, notwithstanding any other provision of law, any individual, business, or unit of local government shall not be liable for any civil damages for any acts or omissions that result in the transmission of COVID-19, other than damages occasioned by willful and wanton misconduct by the individual, business, or unit of local government. Provides that, with the exception of willful and wanton misconduct, a health care provider shall be immune from civil liability for any injury or death relating to the diagnosis, transmission, or treatment of COVID-19 alleged to have been caused by any act or omission by the health care provider, which injury or death occurred at a time when health care provider was providing health care services consistent with current guidance issued by the Department of Public Health. Provides that the Act applies to any cause of action arising on or after January 1, 2020. Effective immediately.

LRB101 21392 LNS 72105 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 COVID-19 Immunity Act.

6 Section 5. Civil immunity.

7 (a) Notwithstanding any other provision of law, any
8 individual, business, or unit of local government shall not be
9 liable for any civil damages for any acts or omissions that
10 result in the transmission of COVID-19, other than damages
11 occasioned by willful and wanton misconduct by the individual,
12 business, or unit of local government.

13 (b) A health care provider shall be immune from civil
14 liability for any injury or death relating to the diagnosis,
15 transmission, or treatment of COVID-19 alleged to have been
16 caused by any act or omission by the health care provider,
17 which injury or death occurred at a time when health care
18 provider was providing health care services consistent with
19 current guidance issued by the Department of Public Health.
20 This subsection is inapplicable if it is established that such
21 injury or death was caused by willful and wanton misconduct.

22 Section 10. Applicability. This Act applies to any cause of

1 action arising on or after January 1, 2020.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.