



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2209

Introduced 2/26/2021, 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.

LRB102 04332 LNS 14350 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

1 of action arising on or after January 1, 2020.

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