

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 6

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO THE CORONAVIRUS LIMITED IMMUNITY ACT; AMENDING TITLE 6, IDAHO  
2 CODE, BY THE ADDITION OF A NEW CHAPTER 34, TITLE 6, IDAHO CODE, TO PRO-  
3 VIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE LIMITED IMMUNITY FROM  
4 CERTAIN LIABILITY, TO PROVIDE EXCEPTIONS, AND TO PROVIDE APPLICABIL-  
5 ITY; DECLARING AN EMERGENCY; AND PROVIDING A SUNSET DATE.  
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Title 6, Idaho Code, be, and the same is hereby amended  
9 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-  
10 ter 34, Title 6, Idaho Code, and to read as follows:

11 CHAPTER 34

12 CORONAVIRUS LIMITED IMMUNITY ACT

13 6-3401. SHORT TITLE. This chapter shall be known and may be cited as  
14 the "Coronavirus Limited Immunity Act."

15 6-3402. DEFINITIONS. As used in this chapter:

16 (1) "Coronavirus" means:

17 (a) Severe acute respiratory syndrome coronavirus 2;

18 (b) The disease caused by severe acute respiratory syndrome coron-  
19 avirus 2; or

20 (c) Any subsequently identified mutation, modification, or strain of  
21 coronavirus if the transmission of said virus among humans rises to the  
22 level of an epidemic or pandemic and qualifies for an emergency declara-  
23 tion under applicable Idaho law.

24 (2) "Person" means any entity recognized in this state and shall in-  
25 clude but not be limited to an individual, corporation, limited liability  
26 company, partnership, trust, association, church or religious organiza-  
27 tion, city, county, school district, college, university or other insti-  
28 tution of higher education, or other unit of local government. However,  
29 "person" shall not include any Idaho public health district; the federal  
30 government or any of its agencies; the state of Idaho or any of its agencies,  
31 except colleges, universities, and other institutions of higher education;  
32 nor any foreign government or foreign jurisdiction.

33 6-3403. LIMITED IMMUNITY FROM LIABILITY. (1) Subject to the other pro-  
34 visions of this section, a person is immune from civil liability for damages  
35 or an injury resulting from exposure of an individual to coronavirus.

36 (2) Immunity as described in this section shall not apply to acts or  
37 omissions that constitute an intentional tort or willful or reckless miscon-  
38 duct as defined in section 6-1601, Idaho Code.

1           (3) Nothing in this chapter shall be construed to modify the applica-  
2           tion of title 72, Idaho Code, worker's compensation and related laws of the  
3           industrial commission.

4           (4) The immunity provided in this section is in addition to any other  
5           immunity protection that may apply in state or federal law.

6           SECTION 2. An emergency existing therefor, which emergency is hereby  
7           declared to exist, this act shall be in full force and effect on and after its  
8           passage and approval.

9           SECTION 3. The provisions of Section 1 of this act shall be null, void,  
10          and of no force and effect on and after July 1, 2021.