

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military and Veterans Affairs.

HB21-1074 be amended as follows:

1 Amend printed bill, page 2, line 4, strike "**Immunity from civil liability**"
2 and substitute "**Protections**".

3 Page 2, line 5, strike "**COVID-19**" and substitute "**public health**".

4 Page 2, line 15, strike ""GUIDELINES"" and substitute ""PUBLIC HEALTH
5 GUIDELINES"".

6 Page 2, strike lines 20 through 25 and substitute:

7 "(2) AN ENTITY IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR
8 EXPOSURE, LOSS, DAMAGE, INJURY, OR DEATH AS A RESULT OF COVID-19
9 UNLESS:

10 (a) A CLAIMANT PROVES BY CLEAR AND CONVINCING EVIDENCE
11 THAT THE EXPOSURE, LOSS, DAMAGE, INJURY, OR DEATH WAS CAUSED BY
12 THE ENTITY'S FAILURE TO COMPLY WITH PUBLIC HEALTH GUIDELINES; OR
13 (b) THE EXPOSURE, LOSS, DAMAGE, INJURY, OR DEATH WAS
14 CAUSED BY GROSS NEGLIGENCE OR A WILLFUL AND WANTON ACT OR
15 OMISSION OF THE ENTITY.".

16 Page 3, after line 1 insert:

17 "(4) NOTHING IN THIS SECTION AFFECTS AN EMPLOYER'S LIABILITY
18 PURSUANT TO THE "WORKERS' COMPENSATION ACT OF COLORADO",
19 ARTICLES 40 TO 47 OF TITLE 8.".

20 Renumber succeeding subsection accordingly.

21 Page 1, line 102, strike "**APPLICABLE**" and substitute "**PUBLIC**".

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