SYNOPSIS
Grants immunity from liability to school districts, nonpublic schools, and employees for damages resulting from coronavirus disease 2019.

CURRENT VERSION OF TEXT
As introduced.
AN ACT granting immunity from liability to school districts, nonpublic schools, and employees for claims related to the coronavirus disease 2019 and supplementing chapter 6 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding any provision of law to the contrary, a school district or nonpublic school, and its employees, agents, representatives, or designees, which in good faith comply with or exceed all applicable public and personal health and safety measures to prevent or mitigate a person’s exposure to the COVID-19 virus or the disease caused by the virus, coronavirus disease 2019, or a related viral strain to that virus or a disease caused by the related viral strain in subsequent years, which measures are based on guidance, regulations, rules, and administrative orders promulgated by the federal Centers for Disease Control and Prevention, the federal Occupational Safety and Health Administration, the State Departments of Education, Health, Human Services, and Labor and Workforce Development, or any other federal, State, or local department, division, commission, board, bureau, agency, or official, as well as applicable Executive Orders or portions of those orders issued by the Governor, shall not be liable in any civil action for any act of commission or omission resulting in damages arising from a person’s exposure to the COVID-19 virus, a related viral strain, or disease caused by either one.

b. Nothing in this section shall be deemed to grant immunity to any school district, nonpublic school, or person causing damage by a willful, wanton, or grossly negligent act of commission or omission.

2. This act shall take effect immediately, and apply retroactively to the date that the Public Health Emergency and State of Emergency was declared by the Governor in Executive Order 103 of 2020 concerning the coronavirus disease 2019 pandemic.

STATEMENT

This bill grants immunity from liability to school districts and nonpublic schools, and their employees, agents, representatives, or designees, in any civil action for an act of commission or omission resulting in damages arising from a person’s exposure to the COVID-19 virus, a related viral strain, or a disease caused by either one, provided that the school district or nonpublic school, and its employees, agents, representatives, or designees (1) act in good
faith to comply with or exceed all applicable public and personal
health and safety measures to prevent or mitigate a person’s
exposure to the COVID-19 virus, a related viral strain, or a disease
caused by either one; and (2) those measures are based on guidance,
regulations, rules, and administrative orders promulgated by
federal, State, or local departments, divisions, commissions, boards,
bureaus, agencies, or officials, as well as applicable Executive
Orders or portions of those orders issued by the Governor.

This bill does not grant immunity to any school district,
nonpublic school, or person causing damage by his willful, wanton,
or grossly negligent acts of commission or omission.

This bill would take effect immediately, and apply retroactively
to March 9, 2020, the date the Public Health Emergency and State
of Emergency was declared by the Governor’s Executive Order 103
concerning the coronavirus disease 2019 pandemic.