

**SENATE, No. 2628**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JUNE 29, 2020

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

**Senator Oroho**

**SYNOPSIS**

Establishes general immunity for businesses, including non-profits, and public and private colleges and universities, and their officers, employees, and agents, against actions relating to Coronavirus disease 2019 pandemic or related viral strain in subsequent years.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/12/2020)**

1   **AN ACT** establishing general immunity for certain persons and  
2       entities against legal actions relating to the Coronavirus disease  
3       2019 pandemic, or related viral strain to pandemic's virus in  
4       subsequent years, and supplementing Title 2A of the New Jersey  
5       Statutes.

6  
7       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
8       *of New Jersey:*

9  
10      1.   a.   As used in this section, "business" means any non-  
11      governmental, for-profit or non-profit corporation, company,  
12      partnership, firm, sole proprietorship, society, association, business  
13      trust, or other form of business organization or entity.

14      Notwithstanding any provisions of law to the contrary, a  
15      business, and its trustees, directors, officers, employees, agents,  
16      servants, and volunteers, which in good faith comply with or exceed  
17      all applicable public and personal health and safety measures to  
18      prevent or mitigate a person's exposure to the virus SARS-CoV-2  
19      or the disease caused by the virus, Coronavirus disease 2019, also  
20      referred to as COVID-19, or a related viral strain to that virus or a  
21      disease caused by the related viral strain in subsequent years, which  
22      measures are based on guidance, regulations, rules, and  
23      administrative orders promulgated by the federal Centers for  
24      Disease Control and Prevention, the federal Occupational Safety  
25      and Health Administration, the State Departments of Health,  
26      Human Services, and Labor and Workforce Development, or any  
27      other federal, State or local department, division, commission,  
28      board, bureau, agency, or official, as well as applicable Executive  
29      Orders or portions of those orders issued by the Governor, shall not  
30      be liable in any civil action, or subject to any administrative  
31      proceeding concerning professional disciplinary action, or  
32      suspension, revocation, refusal to issue or refusal to renew any  
33      license, certification, certificate, or permit, as applicable, for any act  
34      of commission or omission resulting in damages arising from a  
35      person's exposure to SARS-CoV-2, a related viral strain, or disease  
36      caused by either one.

37      b.   (1) The immunity provided to a business, and its trustees,  
38      directors, officers, employees, agents, servants, and volunteers by  
39      this section applies in addition to any other available immunity, and  
40      applies whether the exposure to SARS-CoV-2, a related viral strain,  
41      or disease caused by either one, occurred because the person was  
42      required to be on the business's property, or entered or remained on  
43      the property by express or implied invitation or permission, or  
44      exposure occurred at some other place in the course of conducting  
45      business, providing services, or doing volunteer work on behalf of  
46      the business as authorized by it.

47      (2) Nothing in this section shall be deemed to:

1 (a) grant immunity to any business or person causing damage by  
2 a willful, wanton, or grossly negligent act of commission or  
3 omission; or

4 (b) affect a worker' compensation claim or award pursuant to  
5 any applicable State or federal law.  
6

7 2. a. Notwithstanding any provisions of law to the contrary,  
8 any public or private institution of higher education, and its  
9 trustees, directors, officers, administrators, employees, agents,  
10 servants, and volunteers, which in good faith comply with or exceed  
11 all applicable public and personal health and safety measures to  
12 prevent or mitigate a person's exposure to the virus SARS-CoV-2  
13 or the disease caused by the virus, Coronavirus disease 2019, also  
14 referred to as COVID-19, or a related viral strain to that virus or a  
15 disease caused by the related viral strain in subsequent years, which  
16 measures are based on guidance, regulations, rules, and  
17 administrative orders promulgated by the federal Centers for  
18 Disease Control and Prevention, the federal Occupational Safety  
19 and Health Administration, the State Departments of Health,  
20 Human Services, and Labor and Workforce Development, the  
21 Secretary of Higher Education, or any other federal, State or local  
22 department, division, commission, board, bureau, agency, or  
23 official, as well as applicable Executive Orders or portions of those  
24 orders issued by the Governor, shall not be liable in any civil  
25 action, or subject to any administrative proceeding concerning  
26 professional disciplinary action, or suspension, revocation, refusal  
27 to issue or refusal to renew any license, certification, certificate, or  
28 permit, as applicable, for any act of commission or omission  
29 resulting in damages arising from a person's exposure to SARS-  
30 CoV-2, a related viral strain, or disease caused by either one.

31 b. (1) The immunity provided to a public or private institution  
32 of higher education, and its trustees, directors, officers,  
33 administrators, employees, agents, servants, and volunteers by this  
34 section applies in addition to any other available immunity, and  
35 applies whether the exposure to SARS-CoV-2, a related viral strain,  
36 or disease caused by either one, occurred because the person was  
37 required to be on the campus or other property of the institution of  
38 higher education, or entered or remained on the campus or other  
39 property by express or implied invitation or permission, or exposure  
40 occurred at some other place in the course of conducting activities  
41 and operations, providing services, or doing volunteer work on  
42 behalf of the business as authorized by it.

43 (2) Nothing in this section shall be deemed to:

44 (a) grant immunity to any public or private institution of higher  
45 education or person causing damage by a willful, wanton, or grossly  
46 negligent act of commission or omission; or

47 (b) affect a worker' compensation claim or award pursuant to  
48 any applicable State or federal law.

