



# SUPPORT SB 6

## Pandemic Liability Protection Act

TEXAS CIVIL  
JUSTICE  
LEAGUE

May 4, 2021

For the last year, Texans have faced the greatest challenge of our time. The onslaught of the novel coronavirus on our state has strained our health care system, business infrastructure, and educational institutions. With the advent of effective vaccines, however, better days are ahead. We must keep our focus on staying safe, mitigating the long-term effects of the pandemic on our state, and getting the Texas economy back in full gear.



SB 6 is part of moving Texas forward. It protects our health care providers, first responders, businesses, schools, and houses of worship from a potential wave of COVID-19 related lawsuits. More than 700 such lawsuits have been filed in Texas since March 13, 2020, the date on which the President and Governor declared a pandemic emergency.

SB 6 seeks to stem the tide by establishing common sense liability protections for Texans who in good faith have been doing their best to comply with appropriate health and safety guidelines. The bill does not, however, protect bad actors who intentionally or with gross negligence put other Texans in harm's way.

SB 6:

- protects for health care providers from liability for treatment and care delivered during the pandemic emergency unless they acted recklessly or

intentionally or committed wilful or wanton misconduct

- requires the health care provider, in order to receive liability protection, to prove by a preponderance of evidence that the pandemic was a producing cause of the care, treatment, or failure to provide treatment that caused the claimant's injury;
- protects manufacturers, designers, distributors, sellers, labelers, or donors of products used to combat a pandemic disease unless they acted with actual malice;
- protects a person from liability for exposing an individual to a pandemic disease unless the person knowingly failed to implement applicable health and safety guidelines or flagrantly disregarded the guidelines;
- protects a person from liability if the person in good faith substantially complied with an applicable rule, order, or declaration of the governor, legislature, a state agency, or a local governmental entity that was in conflict with another rule, order, or declaration;
- shields public and private higher education institutions from liability for cancelling or modifying a course, program, or activity because of the pandemic emergency;
- applies these liability protections retroactively to March 13, the date of the emergency declaration.

This legislation is crucial both to our economic recovery and our getting back to normal life. We simply can't afford to make the pandemic crisis worse by adding a litigation crisis to it. Please support SB 6 by Hancock/Leach.

## Please vote FOR SB 6

TEXAS CIVIL JUSTICE LEAGUE

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