

State	Statute or Executive Order	Citation	Liability Shield	Exception	Other Features	Coverage Begins	Coverage Ends
Alabama	Executive Order	8th Supplemental State of Emergency: Coronavirus (COVID-19) (May 8, 2020)	Businesses are not liable for death, property damage, or personal injuries regarding transmitting or responding to COVID-19	Wanton, reckless, willful, or intentional misconduct, as well as workers' compensation claims	Damages Shield - when an exception to the liability shield applies, plaintiffs in non-wrongful death cases cannot recover non-economic damages or punitive damages Heightened Standard - for cases accruing before the executive order and/or where courts don't apply the liability shield and where wanton/willful/intentional misconduct is not shown, plaintiffs must prove that businesses did not reasonably attempt to comply with applicable COVID-19 public health guidance before recovering	3/13/2020	End of State of Emergency
Alabama	Coronavirus, Immunity for Certain Entities from Claims Relating to Contraction of or Exposure to Coronavirus	Senate Bill No. 30 (2021)	Businesses are not liable for any damages, injury, or death suffered as a result of, or in connection with, any claims that arise from or is related to coronavirus including exposure or contraction of the virus, or the businesses efforts to prevent or delay the spread of the virus	Wanton, reckless, or intentional misconduct, as well as workers' compensation	Damages Shield - when an exception to the liability shield applies, plaintiffs (a) in non-wrongful death suits may only recover economic compensatory damages and cannot recover noneconomic or punitive damages; and (b) in wrongful death suits may only recover punitive damages Heightened Standard - for the exception to liability shield to apply, plaintiffs must show that the business did not reasonably attempt to comply with then applicable public health guidance SOL - two year statute of limitations	3/13/2020	Later of December 31, 2021 or One Year After End of State of Emergency
Arkansas	Executive Order	Executive Order No. 20-33	Businesses are not liable for damages or injuries regarding exposure to COVID-19 on premises they own or operate	Willful, reckless, or intentional misconduct, as well as workers' compensation claims	Affirmative Defense - a good faith effort to comply with substantial compliance with health and safety guidelines creates a presumption that the exception does not apply	6/15/2020	End of State of Emergency
Georgia	COVID-19 Pandemic Business Safety Act	GA Code §§ 51-16-1, et seq	Businesses are not liable for transmitting, infecting, exposing, or potentially exposing others to COVID-19	Gross negligence, willful and wanton misconduct, reckless infliction of harm, and intentional infliction of harm, as well as workers' compensation claims	Assumption of Risk - posting signage in the format and with the text suggested by statute either on receipts or at entrances creates a rebuttable assumption of the risk	8/4/2020	7/21/2021
Kansas	COVID-19 Response and Reopening for Business Liability Act	Not yet available - in unclassified legislative enactments, 2020 Legislation: Special Session	Businesses are immune from civil liability for claims arising out of or based on exposure or potential exposure to COVID-19	Not acting in substantial compliance with applicable public health directives; workers' compensation claims	None	3/12/2020	3/31/2021
Idaho	Coronavirus Limited Immunity Act	Not yet available - will create I.C. §§ 6-3401, et seq (H.B. No. 6)	Businesses are immune from civil liability for damages or injuries resulting from exposure to the coronavirus	Intentional, willful, or reckless misconduct, as well as workers' compensation claims	None	8/26/2020	7/1/2021
Indiana	Untitled Limitation of Liability for COVID-19	Not yet available - will create IN 34-6-2-3.8	Businesses are immune from civil liability arising from COVID on premises they own or operate, on any premises they provide property or services to another, or during any activity they manage, organize, or sponsor	Gross negligence, willful or wanton misconduct, fraud, or intentional torts, as well as workers' compensation, occupational disease compensation, IN OSHA, unemployment compensation	Heightened Standard: plaintiffs may only bring civil actions - for the non statutory employee focused exceptions - if they prove the requisite level of conduct by a clear and convincing standard	3/1/2020	12/31/2024
Iowa	COVID-19 Response and Back-to-Business Limited Liability Act	I.C.A. §§ 686d.1, et seq	Premises owner, tenant, or occupant is not liable for civil damages for injuries re: exposure to COVID-19	Disregarding a substantial and unnecessary risk, actual malice, and intentional exposure, as well as workers' compensation claims	Heightened Standard - plaintiffs may only bring civil actions for exposure or potential exposure to COVID-19 in cases involving (i) inpatient hospitalization or death for COVID-19; (ii) intentionally causing harm; or (ii) actual malice Affirmative Defense - substantial compliance or acting consistent with COVID-19 guidance	1/1/2020	No End Date Provided
Louisiana	Untitled Limitation of Liability for COVID-19	Not yet available - will create LSA-R.S. 9:2800.25	Businesses are immune from civil liability for claims resulting from actual or alleged exposure to COVID-19, and for using or dispensing PPE resulting from such use or dispensation	Not substantially complying with COVID-19 procedures, or engaging in grossly negligent, wanton, or reckless conduct, as well as workers' compensation	Modified Workers' Compensation Exclusivity Bar: employees are limited to workers' compensation claims unless they can show that there is a compensable injury and that injury as the result of intentional exposure to COVID-19	3/11/2020	No End Date Provided
Mississippi	Mississippi Back-to-Business Liability Assurance and Health Care Emergency Response Liability Protection Act	Not yet available - in Undesignated 2020 Legislative Enactments (S.B. 3049)	Businesses are immune from civil liability for claims re actual or potential COVID-19 exposure provided (i) there was no public health guidance to follow; or (ii) they made a good faith attempt to follow public health guidance	Malice, willful misconduct, and actual misconduct, as well as workers' compensation claims	None	3/14/2020	End of State of Emergency + One Year

Montana	Untitled Limitation of Liability for COVID-19	Senate Bill No. 65 (2021)	Business are immune from civil liability for injuries or death relating to exposure or potential exposure to COVID-19	Gross negligence, willful or wanton misconduct, or intentional torts	Affirmative Defense - took reasonable measures consistent with federal or state covid-19 guidance or measures applicable at the time of alleged injury	2/10/2021	1/1/2031
Nevada	Untitled Limitation of Liability for COVID-19	Not yet available - in Undesignated Legislation (S.B. 4 §§ 24-29)	Businesses are immune from civil liability for injury or death resulting from COVID-19 exposure provided they substantially complied with controlling health standards	Violated controlling health standards, did so with gross negligence, and gross negligence was proximate cause of injury	Heightened Pleading Standard/Burden of Proof - plaintiff in civil cases alleging injury or death resulting from COVID-19 exposure must file a complaint pled with particularity and must prove lack of substantial compliance - meaning lack of good faith effort, and does not include isolated or unforeseen circumstances - and must make that determination as a matter of law	8/11/2020	Later of End of State of Emergency or July 1, 2023
North Carolina	COVID-19 Limited Immunity	Not yet available - will create N.C.G.S. §§ 99E-70, et seq. (H.B. 118)	Business are immune from civil liability for claims regarding actual or potential COVID-19 exposure	Gross negligence, willful or wanton conduct, or intentional wrongdoing, as well as workers' compensation claims	Additional Posting Benefits - businesses posting required notice regarding mitigation measures are immune from civil liability relating to anyone's failure to follow/comply with those measures (same exceptions as general liability shield apply)	7/2/2020	End of State of Emergency + 180 Days
Ohio	Untitled Limitation of Liability for COVID-19	HB No. 606 signed into law September 14, 2020	Businesses are immune from civil liability for claims regarding COVID-19 exposure, transmission, or contraction	Reckless conduct, intentional misconduct, willful or wanton misconduct, as well as workers' compensation	Class Action Restriction - where the liability shield does not apply, plaintiffs may not file class action suits Limitations on Public Health Guidance - COVID-19 public health guidance does not create a duty of care a new cause of action, or a substantive legal right	3/9/2020	9/30/2021
Oklahoma	Limitations on Liability for Exposure to COVID-19	76 Okl. St. Ann. § 111	Businesses are immune from civil liability for claims regarding actual or potential COVID-19	Failing to comply with COVID-19 related public health guidance	None	5/21/2020	No End Date Provided
South Dakota	An Act to Limit Liability for Certain Exposures to COVID-19	Not yet available - will be SD Code 21-68-1, et seq.	Businesses are immune from civil liability for claims regarding actual or potential exposure to COVID-19	Intentional exposure with the intent to transmit COVID-19	Heightened Pleading Standard and Burden of Proof - plaintiffs must both (a) state with particularity the actual exposure and intent including all duty, breach, and intent elements; and (b) show applicability of exception with clear and convincing evidence	1/1/2020	12/31/2022
Tennessee	Tennessee COVID-19 Recovery Act	T.C.A. § 29-34-802	Businesses are immune from civil liability for loss, damage, injury or death resulting from COVID-19 exposure	Gross negligence, or willful misconduct, as well as workers' compensation claims	Heightened Pleading Standard/Burden of Proof - plaintiffs in civil cases alleging loss, damage, injury or death resulting from COVID-19 must (i) file a verified complaint pled with particularity; and (ii) file a statement from a physician (TN or bordering state) stating that claim was caused by defendant(s)	No Beginning Date Provided	7/1/2022
Utah	Immunity Related to COVID-19	U.C.A. 1953 § 78B-4-517	Businesses are immune from civil liability for damages or injuries resulting from COVID-19 on premises they operate/own or activity they manage	Willful misconduct, reckless infliction of harm, or intentional infliction of harm, as well as workers' compensation claims or state OSHA claims	None	5/4/2020	No End Date Provided
West Virginia	COVID-19 Jobs Protection Act	Not yet available - will be WV Code 55-19-1, et seq.	Businesses are immune from civil liability for loss, damage, physical injury, or death arising from COVID-19	Intentional conduct with actual malice, as well as workers' compensation	Limitation on Workers' Compensation - even where workers' compensation exception applies, workers' compensation benefits shall remain the sole and exclusive remedy even in cases of deliberate or intentional actions by employer	1/1/2020	No End Date Provided
Wisconsin	Civil Liability Exemption: Exposure to the Novel Coronavirus Sars-Cov-2 or Covid-19	Wis. Stat. 895.476	Businesses are immune from civil liability for the death or injury resulting in or relating to COVID-19 exposure	Reckless, wanton, or intentional misconduct		3/1/2020	No End Date Provided
Wyoming	Immunity from Liability	WY ST § 35-4-114	Businesses are immune for liability "arising from complying with [COVID-19 public health guidance] or acting in good faith"	Gross negligence, willful or wanton misconduct	None	During Public Health Emergency	During Public Health Emergency