

Georgia Passes Bill to Extend COVID-19 Legal Immunity Protection a Year; Governor Considering

By Todd Van Dyke & Raymond Perez

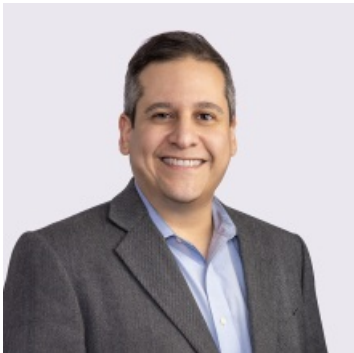
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Meet the Authors



Todd Van Dyke

(He/Him)
Principal
(404) 586-1814
Todd.VanDyke@jacksonlewis.com



Raymond Perez

Of Counsel
404-586-1895
Raymond.Perez@jacksonlewis.com

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Following up on Georgia's "[COVID-19 Pandemic Business Safety Act](#)," passed and signed into law in 2020, the Georgia legislature has passed a [one-year extension](#) to the liability protection, to July 14, 2022. The bill has been sent to Governor Brian Kemp for his consideration.

To address potential legal liability related to the COVID-19 pandemic, the act was designed to protect healthcare facilities, businesses, and other entities from civil liability. The only limited exceptions were cases involving gross negligence or intentional misconduct. The act also does not affect employees' rights to bring workers' compensation claims or file complaints with the Occupational Safety and Health Administration regarding workplace safety or health issues.

When the act passed in 2020, it was generally expected that the fallout from the COVID-19 pandemic would last only about a year, so the act had a sunset provision ending the protections on July 14, 2021.

Despite declining hospitalization rates and the roll out of highly effective vaccines, concerns linger about the possible course of the pandemic in 2021. Proliferation of COVID-19 variants, reopening of many businesses and schools, and loosening of restrictions in some states may be contributing to increased infection rates.

Consequently, the Georgia House of Representatives introduced and passed House Bill 112 to extend the sunset provision to July 14, 2022. Legislators in favor of the bill believe the liability protection extension was necessary as the country continues to grapple with the effects of the pandemic. The bill was passed along party lines in the House on February 9, 2021, with 99 Republicans voting in favor and 68 Democrats against. On March 17, 2021, the Senate also passed the bill on party lines, 36-17.

Governor Kemp has until April 27 to sign or veto the legislation. If he takes no action, the legislation will automatically become law.

If you have questions or need assistance, please reach out to the Jackson Lewis attorney with whom you regularly work.

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