



March 22, 2021

**RE: HB 5125 – AN ACT CONCERNING THE PROVISION OF IMMUNITY FROM CIVIL LIABILITY FOR ENTITIES THAT HAVE OPERATED PURSUANT TO HEALTH AND SAFETY GUIDELINES DURING THE COVID-19 PANDEMIC**

Dear members of the Judiciary Committee:

I am Joy Avallone, General Counsel of the Insurance Association of Connecticut (IAC), a state-based trade association for Connecticut's insurance industry. Thank you for the opportunity to provide comments in strong support of HB 5125 - AN ACT CONCERNING THE PROVISION OF IMMUNITY FROM CIVIL LIABILITY FOR ENTITIES THAT HAVE OPERATED PURSUANT TO HEALTH AND SAFETY GUIDELINES DURING THE COVID-19 PANDEMIC.

Civil liability immunity proposed under HB 5215 is smart public policy, which will benefit entities conducting business for profit, as well as not-for-profit, public agencies, workers, and the overall economy. At least 35 states<sup>1</sup> have already recognized the value of such legislation and have provided similar liability protections for responsible entities.

Immunity under HB 5125 is reasonable and appropriate because it is limited to those entities that "substantially complied with applicable health and safe operation guidelines contained in the executive orders issued by the Governor and guidance of the Department of Public Health". Entities may still be held liable for losses, damages and injuries caused by their gross negligence or willful misconduct.

It is important to note that health and safety guidelines have been continuously changing since the onset of the pandemic, and compliance has been challenging and costly for many. Entities covered by HB 5125 have contributed to the battle against COVID-19 by providing critical and essential services and goods. These entities should be commended for their work and afforded protection from opportunistic lawsuits.

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<sup>1</sup> <https://institutelegalreform.com/west-virginia-covid-liability-protections-bill-headed-to-gov-justices-desk/>

Allowing responsible entities to operate free from fear of frivolous COVID-19 related lawsuits will have both a short-term and long-term positive economic impact. Businesses that remain shut down on account of the pandemic will be encouraged to reopen while those currently operating at limited capacity will be encouraged to return to pre-pandemic operation. The re-opening and expanded operation of businesses will provide employment opportunities for those who have been unable to work. It will also ensure access to critical goods and services as we move forward. This will not only stimulate the economy during the current stage of the pandemic, but it will also enable a swifter economic recovery once the pandemic subsides.

For the aforementioned reasons, the IAC strongly urges you to support HB 5125.

Thank you.

Joy Avallone  
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