



Testimony of John D. Blair, Associate Counsel
Connecticut Business and Industry Association
Judiciary Committee
Public Hearing
Monday, March 22, 2021

Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein, members of the Judiciary Committee, thank you for the opportunity to present testimony today. My name is John Blair, Associate Counsel at the Connecticut Business & Industry Association. CBIA is Connecticut's largest business organization, with thousands of member companies, small and large, representing a diverse range of industries from across the state. Ninety-five percent of our member companies are small businesses, with less than 100 employees.

CBIA is testifying in support of [HB 5125](#) **AN ACT CONCERNING THE PROVISION OF IMMUNITY FROM CIVIL LIABILITY FOR ENTITIES THAT HAVE OPERATED PURSUANT HEALTH AND SAFETY GUIDELINES DURING THE COVID-19 PANDEMIC.**

This proposal provides businesses, associations, nonprofits and public agencies immunity from civil liability if they operated or are operating in compliance with the health and safety guidelines set forth by the State of Connecticut.

We should recognize that entities subject to this legislation have played an integral role in moving the State forward in unpredictable times and against tremendous odds. These entities care for the sick, educate our youth, serve the public at large and the many businesses/manufacturers who re-engineered their entire operations to meet the immediate demand for items like personal protective equipment.

These entities would be shielded from civil liability for a time period starting March 10, 2020 when the Governor declared the current public health emergency, through any extension or new public health or civil preparedness emergencies.

Section 1(3)(b) specifically states, "no entity shall be held liable for any loss, damage, injury or death arising from exposure to or transmission of COVID-19...provided such entity substantially complied with the applicable health and safe operation guidelines...unless such loss, damage, injury or death is caused by gross negligence or willful misconduct of the entity".

Affording employers and entities subject to this legislation a shield from civil liability seems only right. The pandemic would have been that more challenging if it were not for these entities remaining open and operating during the course of the pandemic.

This proposal, in a way, gives back to those entities, by ensuring that they are not exposed to mounting or unknown civil liability that could result in substantial losses and costs, at a time they can least afford

it. These entities should not be penalized for fighting through unprecedented times to meet the demand put upon our State by the COVID-19 pandemic.

For these reasons we respectfully request the committee to favorably consider [HB 5125](#). I would like to thank the committee for its consideration of this testimony.