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**TESTIMONY OF  
NATIONAL FEDERATION OF INDEPENDENT BUSINESS (NFIB)  
SUPPORTING  
HB-5125, AAC THE PROVISION OF IMMUNITY FROM CIVIL LIABILITY FOR ENTITIES  
THAT HAVE OPERATED PURSUANT TO HEALTH AND SAFETY GUIDELINES DURING  
THE COVID-19 PANDEMIC  
JUDICIARY COMMITTEE  
MARCH 22, 2021**

*NFIB is the leading small business association in the nation with thousands of members in Connecticut representing a cross-section of the state's economy. For more than 75 years, NFIB has been advocating on behalf of America's small and independent business owners, both in Washington, D.C., and in all 50 state capitals. NFIB is nonprofit, nonpartisan, and member-driven. Since our founding in 1943, NFIB has been exclusively dedicated to small and independent businesses and remains so today. On behalf of those small- and independent- job-providers here in Connecticut, NFIB offers the following comments:*

NFIB strongly supports HB-5125. NFIB believes this bill is good public policy that will help protect small business owners from unreasonable or frivolous lawsuits that may be brought as a result of claims relating to exposure or transmission of Covid-19 on the business premises during the state public health and civil preparedness emergencies. Thank you to the sponsors and to the Committee for hearing and considering this important pro-small business bill.

NFIB members say that being sued is one of the most threatening experiences for small business owners, especially for the smallest of the small, which can be put out of business by just one lawsuit. An NFIB survey last year showed that almost 70% of small business owners were concerned about liability claims increasing because of Covid. For those small businesses in Connecticut that have remained open or have been able to re-open during the pandemic under state rules and guidelines, they have gone to great lengths to maintain compliance and to ensure the safety of their employees, customers and vendors, etc.

Small business owners are simply looking for some assurance that they won't get sued even if they did their best to operate safely during the pandemic. NFIB has recommended that small business owners be shielded from liability from lawsuits brought by customers or other third parties unless there is proof that the business knowingly failed to develop and implement a reasonable plan to reduce risk and such failure actually caused an injury. HB-5125 is important in this regard because not only will it provide for this much-needed limited liability protection, but also because it sends a positive message that the state can help protect small businesses under these unprecedented circumstances.

Small businesses who have fought to survive over the course of the pandemic should not have to fear costly legal battles. Passage of this legislation will help provide some much-needed peace of mind and allow small business owners to get back to doing what they do best, creating jobs and helping to get Connecticut's economy back up and running.

Thank you for the opportunity to comment in support of HB-5125 and for your consideration of NFIB's perspectives on behalf of small business. For any questions or additional information, please contact Andy Markowski, NFIB's State Director in Connecticut, at 860-248-NFIB.