

## 117TH CONGRESS H.R. 7794

To require a particular jury instruction in Federal civil actions that include a claim for damages based on negligence arising from the transmission of COVID-19.

## IN THE HOUSE OF REPRESENTATIVES

May 17, 2022

Mr. Biggs introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To require a particular jury instruction in Federal civil actions that include a claim for damages based on negligence arising from the transmission of COVID-19.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Protecting Businesses
- 5 From Frivolous COVID Lawsuits Act of 2022".

1	SEC. 2. JURY INSTRUCTION IN FEDERAL CIVIL ACTIONS
2	THAT INCLUDE A CLAIM ALLEGING NEG-
3	LIGENCE ARISING FROM THE TRANSMISSION
4	OF COVID-19.
5	In a Federal civil action that includes a claim alleging
6	negligence arising from the transmission of COVID-19
7	and a request for damages, the court shall instruct a jury
8	that—
9	(1) the liability standard is the reasonable per-
10	son standard,
11	(2) a person is negligent if the person either
12	does something that a reasonably careful person
13	would not do in the same situation, or fails to do
14	something that a reasonably careful person would
15	do, in the same situation,
16	(3) the act of opening a business, by itself, shall
17	be considered to be reasonable as a matter of law,
18	and
19	(4) the negligence may not be found solely on
20	the basis of holding oneself open for business.

 $\bigcirc$