

116TH CONGRESS
2D SESSION

H. R. 6976

To provide liability protection for nonprofit organizations during the COVID–19 outbreak, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2020

Mrs. HARTZLER (for herself, Mr. ADERHOLT, Mr. LAMBORN, Mr. BANKS, Mr. JOYCE of Pennsylvania, Mr. BABIN, Mr. MURPHY of North Carolina, Mr. FLORES, Mr. CONAWAY, Mr. KING of Iowa, Mr. COLLINS of Georgia, Mr. GROTHMAN, Mr. ALLEN, Mr. BUDD, Mr. NORMAN, Mr. WALKER, Mr. GREEN of Tennessee, Mr. BISHOP of North Carolina, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide liability protection for nonprofit organizations during the COVID–19 outbreak, and for other purposes.

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 “Service Assurance Act
5 of 2020”.

1 **SEC. 2. PROTECTION FROM LIABILITY FOR NONPROFIT OR-**
2 **GANIZATIONS IN CERTAIN CIVIL ACTIONS RE-**
3 **LATING TO COVID-19.**

4 (a) **IN GENERAL.**—Except as provided in subsection
5 (b), a nonprofit organization shall not be liable under Fed-
6 eral or State law for any act or omission of the organiza-
7 tion with respect to any harm arising from exposure to,
8 or infection by, the virus that causes COVID-19 during
9 a public health emergency with respect to COVID-19 de-
10 clared pursuant to section 319 of the Public Health Serv-
11 ice Act (42 U.S.C. 247d).

12 (b) **EXCEPTION.**—Subsection (a) does not apply if
13 the harm was caused by an act or omission constituting
14 willful or criminal misconduct, gross negligence, reckless
15 misconduct, or a conscious flagrant indifference to the
16 rights or safety of the individual harmed by the entity.

17 (c) **PREEMPTION.**—This section preempts the laws of
18 a State or any political subdivision of a State to the extent
19 that such laws are inconsistent with this section, unless
20 such laws provide greater protection from liability.

21 (d) **DEFINITION.**—In this Act, the term “nonprofit
22 organization” means an entity that is an organization de-
23 scribed in section 501(c)(3) of the Internal Revenue Code
24 of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under
25 section 501(a) of such Code (26 U.S.C. 501(a)).