

Bill Amended to Provide Colleges COVID 19 Liability Protections

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During this year's budget legislative hearings, one issue that was discussed but not addressed in the adopted State Budget, was if the state would provide liability protections to shield schools and colleges from COVID-19 related litigation. Last Monday, June 29, 2020, Assemblymember Rudy Salas (D-Bakersfield) gutted and amended Assembly Bill (AB) 1759 into a measure that would provide limited liability protections for the state's higher education institutions as many begin to prepare their reopening plans for the 2020–21 school year.

Specifically, [AB 1759](#) would exempt institutions of higher education, including their officers, employees, and governing bodies, from monetary liability and damages for injury relating to COVID-19 infection, any condition in existence because of the COVID-19 pandemic, or any act or omission by those institutions in response to the COVID-19 pandemic.

AB 1759 is a two-year bill that is already in the second house (the Senate), but since it was gutted and amended, it has been re-referred to the Senate Judiciary Committee for its policy hearing. As of this writing, the Legislature is on summer recess until July 13, 2020, so we will not know more about the prospects of this measure—including potential opposition from consumer and trial attorneys—until later this month.